

Lakeview Academy BOT Packet for March 5, 2009

Consent Agenda

November 6, 2008 Minutes

Lakeview Academy Board of Trustees Meeting
November 6, 2008 at 7:00 p.m. at Lakeview Academy, Saratoga Springs
Work Session starting at 5:30 p.m.
(All listed times are approximate)

I. Roll Call &:07

Alan, jl, julianne, tina, cory, mandee
7:00

II. Pledge of Allegiance

III. Directors Report (these reports are given orally)

7:05

1. Elementary Director

Went through report 94 % on aprent teacher attendance, star training , Kathrin has been doing a lot of training in reading and writing, trained teachers in list in packet

Tina was glad to see we are addressing both struggling readers and talented readers

2. Middle School Director

a. Penny went through the carnviall, student government training went to UEA for training where they attended workshops 47 % of middle school students have a 3.5 to 4.0 60% of parents attended parent teacher confence so we will investigate to se how we can improve we will send dibbles report next month art teacher has an expesciotion.

IV. Reports (these reports are for Q and A only)

7:15

1. Treatment of Students Policy Monitoring Report-in compliance

2. Library Policy Monitoring Report- in compliance

3. Student Portfolio Policy Monitoring Report- not in compliance

4. Fee Wavers Policy Monitoring Report- in comliance

5. Lottery and Enrollment Policy Monitoring Report- in compliance

6. Enrollment Report- lost five

7. Financial Report-Mandee reported that the error on the report has been fixed

8. Management, SAC and Board Members reports

a. Lincoln reported about the legislation report the legislation appropriated the full amount for K, the law will be changed we hope- it could still be taken away, governor strong supporter of charter seneate is largely unchanged but should still be farly charter supportive, house the speaker of the house lost and he was a strong supporter lost one of the largest opponets of charter school lost replacement is a charter director margerly weaker, school board mark cluff lost three seats up for chater support on school board

- b. Sold real math
- c. SAC report link or no link, people can request paper copies
- d. Clarification for fundraising Mande is in following up on this

V. Charter and Board Training

7:30

1. Charter training on Enhancement

Tina lead the discussion on what an ideal enhancement would look like based on the charter

Kathrin reported on what was going on in the school

Publishing books, readers thearters, food drive posters (service), history fair, Indian study, dewey decemile system, study of solar system

Charter was outline as teachers prepared year long enhancment plans

Will be doing jr engerneerin in January for K-6, first grade making quilts for homeless shelter, show what you know research projects, history fair, math with litature conections, astronomy, languages, are you smarter then a 5th grader, nova, shakespear play, peer tutoring with first grade,

VI. Public Comment not related to items on the agenda all items are limited to 2 minutes 8:00

James loves teaching the 6th graders that he is teaching technology to they would rather stay and work then go to lunch.

Mrs. Vantaell the 6th greaders love the geek.

Tina moved to remove middle school and realocation from consent to action items.

Vu

VII. Consent Agenda

8:10

1. August 7, 2008 Minutes
2. September 4, 2008 minutes
3. October 2, 2008 minutes
4. Middle School History Text Proposal
5. Reallocation of funds

Tina moved to approve the consent agenda vU

VIII. Study Items

8:15

1. Volunteer Policy

Cory and julianne are going to do some research on background checks and bing it back as an action item, JI is going to add classroom parties under volunteering

2. Portfolio Policy

Mr. Stone introduced the portfolio policy and try to match it up with what is actually being done. Evisions were done with input from paretns and teachers, Tina is this for middle school or elementary, tina conerened that they become classroom collection, this maybe good in K-2 in the teaching process, but in 3-6 needs to be more student driven, how are reflections take place,

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need more cameras, should be more student driven, Joylin was concerned about the loss of the showcase night. Tina suggested getting a meeting together with a committee and reworking a few areas and that we are close to finding a solid sport for the portfolios what has been proposed so far is a great modification but would still like to fine tune and to involve middle school. A parent liked the original portfolio system because it was so different from other school. If allowed for a lot of student reflection. She was not seeing any work come home now and the process of the origioanly policy allowed her to be a parat of the students work. Mandee thought that both the teacher and the parent need chances to sit down and reflect with the student.

IX. Action Items

8:30

1. Maintenance Proposal for hooks and shelves- no action necessary because they will come out of the bond
2. Maintenance Proposal for part time employee-
We need to hire another person because there is a lot of work
Julianne wanted to make sure that we had enough money to cover the proposal.
Alan moved to approve the addition of a part time janitorial person.
No action required because this is an administrative move
3. Modified Robert's Rules
 - a. JI introduced this is as a way to speed up the meeting
 - b. Alam moved to approve the modified roberts rules as written.
 - c. No pc
 - d. Halla
 - e. vu
4. Part Time Enrollment Policy
 - a. JI moved to approve the pt policy
 - b. What happens to the one student already here- they are grandfathered in
 - c. Mandee was confused about what happens to a student who enrolls and then afer a while starts to go only 4 hours
 - d. Deanne said that she has spoke to the state about this and they said it was legal
 - e. VU
5. Lakeview Academy Lottery and Enrollment Policy
 - a. Ina moved to approve
 - b. Tinamoved to approve amend with changes regarding subsequent lotteries
 - c. vu
6. Benefits and Leave Policy
Mandee brought up that it clarifies of what full time
JI moved to approve the benefits and leave policy as outlined with changes Mandee made at the table.
Discussion about what a days is
JI moved to amendedmend the policy to include all changes made at the table
JI I move to table the benefits and leave policy but allow all fulltime over 36 hours
employess expereince the same personal and leave time and certificted impoyes for the 2008-2009 school year.
vu

Cory believes we should define a day.
7. Special Education Policy and Procedures

Shauna introduced the education and policy procedures manual

Tina was grateful for the charter comments

Tina moved to approve the special education policy and procedures manual. VU

8. Bus contract

- a. At this time we are unable to get insurance with leasing. Alan Daniles will be in charge of looking into purchasing options with the funds we have already allocated.

Middle school text book

Penny introduced the proposal-

Julianne wanted to know where the funds came from

James thought we could move \$1000 from the computer hardware budget to the middle school history curriculum.

Tina says that it is the same publisher and same information written in a new way.

Tina moved to approve the new history texts books for 7th grade with funding from computer hardware line item.

Kathrin concered about moving the texts to 4th grade that everyone will want a text.

Mrs. Vantaell thought that it would be a great resource for the teachers and that teachers can use that great resource.

Mandee is worried that it is the same information just a new format. Why is it necessary.

Tina thought it would really benefit the students.

VU

reallocation of funds.

Alan moved to approve for the reallocations of funds proposal.

(....)VU

X. New Business 9:10

XI. Adjourn 9:15

January 15, 2009 Minutes

Lakeview Academy Board of Trustees Meeting January 15, 2009 minutes

I. Roll Call: 7:06

Tina Smith, Joylin Lincoln, Alan Daniels, Julianne Kicklighter, Mande Dean, Cory Thorson

II. Pledge of Allegiance

III. Directors Report (these reports are given orally)

7:05

3. Elementary Director: I have been involved in classroom observations past few months. We are working with teachers getting licenses up to date, these are license level they are entitled to and ARL documentation. So that they are certified by State at the correct level. We are working with special Ed getting back log caught up, all special Ed requests need to go thru Mr. Stone. Star tutoring program is designed to help kids get to benchmark (kids almost at benchmark-just need a little help).
4. Middle School Director: Basketball is going well, Art was on display during Orchestra and Choir Concert, Body World Field trip went well about 80 people went – facility changes Mr. Maybe left, Mr. Stopa left – we have great people to replace them – Joylin Lincoln stepped in to volunteer to help with gifted and talented, new health teacher is also certified to be a school counselor. Melodie Loveless stepped in to help with the 7th grade. Good changes – Middle School has done many service projects and smaller activities during the holidays. 75% of students have no D's or F's – using a field trip at the end of each quarter to help motivate kids to keep up grades.

IV. Reports (these reports are for Q and A only)

7:15

9. Communication and Support of the Board Policy Monitoring Report- in compliance
10. Discipline Policy Monitoring Report- in compliance
11. Instructional Materials and Library Disuse Policy Monitoring Report-in compliance
12. Capitalizing and Depreciation Policy Monitoring Report- in compliance
13. Enrollment Report: we are 14 students up from last meeting.
14. Financial Report
15. Management, SAC and Board Members reports: had some people have left with 1 new person being appointed – still looking for at least 1 more parent volunteer to help with SAC.

V. Public Comment not related to items on the agenda all items are limited to 2

minutes 7:45

Megan Hansen – what is happening with Bussing? Alan: transportation committee will be getting together again at the end of January – probably not going to happen this year – want to find out all details before going forward.

VI. Study Items 8:00

1. Charter Conference: June 16 & 17th Utah State Charter Conference at UVU Campus
We need to wait and see what happens during the legislative session so that we can make conservative judgments on how to adjust the budget if required.

VII. Action Items 8:10

9. **Advertising, Sponsorship, and Material Distribution on Campus Policy:** We need a consistent policy. Study Item in May 2008. Policy does not have to do with use of building. Advertising of flyers only –need to go thru directors / if building is needed for use then it would need to come thru trustees. We have been the beneficiaries of people letting us advertise and solicit in their schools for teachers. Public Comment. **Motion to approve the advertising policy with change to let director approve advertising. Approved Unanimously.**
10. **Nutrition and Physical Activity Wellness Policy:** State required Policy – with an attachment from the student government regarding the student store. Clarification letter from student government is not part of policy. **Motion to approve the Nutrition and Physical Activity Wellness Policy without the attached letter. Passed Unanimously.**
11. **Creative Writing Elective Class:** Students were surveyed as to what type of electives they would like to take. Their was a large interest in a writing class, many students currently writing and come to teachers for help. Mrs. Ettinger put together a syllabus showing class & outline. Mostly for 8th and 9th grades. Good class outline submitted fulfills state requirements. **Move to approve Creative Writing Elective Class as outlined. Passed Unanimously**
12. **Fundraising Policy:** See Policy for changes. Board & Public Discussion: We need to be careful not to have each school group going to the same businesses. Forms have to be filled out for fundraising, include where people are going to solicit funds, so we don't over use a single company. Each year-groups can petition board to have more than 1 fundraiser. What is goal and concerns regarding fundraising from the board? Discussion on how to help the Cheerleaders go to nationals. **Motion to approve Fundraising Policy as outlined with noted changes. Passed Unanimously**
13. **Fundraising Proposal:** BBQ for a large school fundraiser. March 22, 2009, approximately \$1,750 to \$2,000 will be needed which can come out of fundraising budget. We just got a check from Box Tops \$1,700+ this equals 17,000 box tops. Director would like to use money for Back top and Volleyball/Badminton & other gym equipment. The price for the dinner will be \$5.00 per person. The committee thinks they can clear \$3,000. This money will not be enough to get the equipment, but great start. **Motion to approve fundraising proposal as outlined. Passed Unanimously.**

VIII. New Business:

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Update on legislature: The state is trying to adjust to budget shortfalls. The state asked all school districts and charter schools to re-due budgets cutting budgets. Governor Huntsman wants to protect schools and not have any budget cuts this year. School would welcome input from parents on ways to help the school save money especially with donations-volunteer hours. A great example of a donation would be school supplies such as a reams of copy paper-if each family could donate 1 ream of paper we would have enough to last the year. We don't have option of raising taxes to raise money.

- IX. Motion to enter into a closed session for the purpose of discussion of litigation matters, acquisitions or real property or authorized personal matters.**
No motion

- X. Adjourn** **8:37**

February 5, 2009 Minutes

Lakeview Academy Board of Trustees Meeting

February 5, 2009 Minutes

I. Roll Call

Tina Smith, Joylin Lincoln, Alan Daniels, Cory Thorson, Julianne Kicklighter was excused

II. Pledge of Allegiance

III. Directors Report (these reports are given orally)

5. Elementary Director

Mr. Stone was excused.

6. Middle School Director

We are very excited that 85% of our students qualified to go on the end of term fieldtrip. They have to have all C's or better and less than 8 demerits.

IV. Reports (these reports are for Q and A only)

16. Charter Focus on Grants Policy Internal Monitoring Report- in compliance

17. Standardized Dress Code Policy Internal Monitoring Report- in compliance

18. Dibbles Progress Monitoring Report- moved to March

19. Math Progress Monitoring Report- moved to March

20. Enrollment Report- our current enrollment is 656 and we look like we feel the elementary school next year

21. Financial Report

22. Management, SAC and Board Members reports

V. Charter and Board Training

1. Charter Evaluation- moved to March

VI. Public Comment not related to items on the agenda all items are limited to 2 minutes

VII. Study Items

1. Parent Assisted Learning (PALS) Volunteer Policy

Discussion about the difference between convicted or registered for sex offences.

Discussion about moving lunchroom and recess form volunteer to PALS 1, decided to leave it as volunteer. We need to find out what is acceptable for a background check. Penny Ralphs was concerned about the drop in volunteer hours and that maybe the policy is too strict.

7. Benefits and Leave Policy

Discussion about the days that the policy requires and what the current wage agreements require. Should overtime always be preapproved, the problems that

we thought we were having in this area turned out to be inaccurate. Employees should be able to choose whether they use sick days for themselves or for a family member.

8. State Radio Ad

We will need to pay \$1,000 to be part of the state wide add. The board expressed concern about the price. There is not that much currently left in our advertising budget. This is a noble cause but we need to be more realistic about our marketing budget.

9. Global Executive Constraint

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments

10. Global Governance Process Policy

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments

11. Global Governance-Management Relationship Policy

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments.

12. Board Agenda Policy

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments.

13. Board members' Code of Conduct Policy

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments.

14. Board Committee Principles Policy

This is part of the Governance Policies that the board wrote and studied last year.
No additional comments.

VIII. Action Items

14. Bussing Proposal

Due to the loss of revenue at the state level it is proposed that Lakeview Academy table the purchase of busses until the State Legislation has passed the 2008-2009 and the 2009-2010 budgets and we are able to prioritize the needs for Lakeview Academy to ensure that we are continuing to take a fiscally strong stance.

The board spent a lot of time discussing what is the best route to go with regards to the buss proposal. Since we are still unclear what the budget cuts will be it is hard to move forward but there is a fear of tabling the project indefinitely. **Joylin Lincoln motioned that due to legislative cuts that any bus purchase or lease must come before the board again for approval. The vote was unanimous.**

VIX. New Business

We are going to begin the process of gathering budget data from all committees so that the budget process for the 2009-2010 year can happen in a timely process.

X. Adjourn

Global Executive Constraint Policy

Policy Type: Executive Limitations

Policy Title: Global Executive Constraint

The Director shall not cause or allow any practice, activity decision, or organizational circumstance that is either unlawful, imprudent, or in violation of commonly accepted educational, business and professional ethics.

Global Governance Process Policy

Policy Type: Governance Process

Policy Title: Global Governance Process Policy

The purpose of the board, on behalf of the citizens of Utah, is to see to it that Lakeview Academy (1) achieves what it should according to the Lakeview Academy Charter and (2) avoids unacceptable actions and situations.

Board Agenda Policy

Policy Type: Governance Process
Policy Title: Board Agenda

To accomplish its job products with a governance style consistent with board policies, the board will follow an annual agenda that (1) completes re-exploration of Ends policies annually and (2) continually improves board performance through board education and enriched input and deliberation.

Accordingly,

1. The board will work on a fiscal year cycle concluding each year on the last day of June so that administrative planning and budgeting can be based on accomplishing one-year segments of the board's most recent statement of long-term Ends.
2. The cycle will start with the board's development of its agenda for the next year.
 - a. Consultations with selected groups at Lakeview Academy, or other methods of gaining ownership input, will be determined and arranged in the first quarter, to be held during the balance of the year.
 - b. Governance education and education related to ends determination (for example, presentations by futurists, demographers, advocacy groups, and staff) will be arranged in the first quarter, to be held during the balance of the year.
3. The Board shall give public notice by August 15th of its annual meeting schedule specifying the date, time, and place of its meetings in addition the board shall give not less than 24 hours' public notice of the agenda, date, time and place of its meetings.
4. Throughout the year, the board will attend to agenda items as expeditiously as possible. Items to be considered for the agenda must be e-mailed to bot@lakeview-academy by the current deadline, along with all supporting documentation. Emergency items will be determined and added to the agenda under the discretion of the Board President.
5. Director and Board monitoring will be included on the agenda if monitoring reports show policy violation or if policy criteria are to be debated.
6. Director remuneration (a payment or reward for goods or services) will be decided in the last quarter after a review of monitoring reports received during current fiscal year.
7. To free the Board's time for discussing matters they can affect (i.e. the future), a consent agenda is a tool that can eliminate as much as ½ hour or more of reviewing what has happened in the past. The consent agenda is a SINGLE ITEM that encompasses all the things the board would normally approve with little comment.

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Jlincoln 2/25/09 12:48 AM

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If an item does seem to require discussion/clarification, the following are the options that exist:

- a. For items that require clarification, or for which a board member has a question, that clarification must be requested before the meeting. An item cannot be pulled from the consent agenda just to have a question answered. That sort of information gathering should happen ONLY before the meeting.
- b. If there is an item about which a board member disagrees, or believes requires discussion, then a request is made at the board table to pull that one item from the consent agenda for discussion. The remainder of the items are voted on and approved, and only that single item is held out for discussion.

The consent agenda is a single item on the board's agenda - usually the very first item. It is voted on with a single vote - to approve the consent agenda. And poof - in one vote, items that formerly took ½ hour or more have all been approved (This is our current consent agenda policy- I combine them because they go together)

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Board Committee Principles

Policy Type: Governance Process

Policy Title: Board committee principles

Board committees, when used, will be assigned so as to reinforce the wholeness of the board's job and so as never to interfere with delegation from board to Director.

Accordingly,

1. Board committees are to help the board do its job, never to help or advise the staff. Committees ordinarily will assist the board by preparing policy alternatives and implications for board deliberations. In keeping with the board's broader focus, board committees will normally not have dealings with current staff operations.
2. Board committees may not speak or act for the board except when formally (at a board meeting with a motion) given such authority for specific and time-limited purpose. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Director.
3. Board committees cannot exercise authority over staff. Because the Director works for the full board, he or she will not be required to obtain approval of a board committee before an executive action.
4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore a board committee that has helped the board create policy on some topic will not be used to monitor organizational performance on that same topic.
5. Committees will be used sparingly and ordinarily in an ad hoc capacity.
6. This policy applies to any group that is formed by board action, whether or not it is called a committee and regardless of whether the group includes board members. It does not apply to committees formed under the authority of the Director.

Special Education Policy and Procedures Manuel

Policy Type: Handbook

Policy Title: Special Education Policy and Procedure Manual

GENERAL PROVISIONS (USBE SER I)

A. Policies and Procedures.

Lakeview Academy Charter School, in providing for the education of students with disabilities enrolled in its school, has in effect policies, procedures, and programs that are consistent with the Utah State Board of Education Special Education Rules (USBE SER) as described in this Policies and Procedures Manual.

B. Definitions.

1. Lakeview Academy Charter School (Elementary and Secondary Education Act (ESEA) of 1965 Section 5210(1)). (USBE SER I.E.6) A public school that functions as an LEA, unless it is a school of an LEA, that:
 - a. Is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of the ESEA;
 - b. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
 - c. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
 - d. Provides a program of elementary or secondary education, or both;
 - e. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
 - f. Does not charge tuition;

- g. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the Individuals with Disabilities Education Act (IDEA);
 - h. Is a school to which parents choose to send their students, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
 - i. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
 - j. Meets all applicable Federal, State, and local health and safety requirements;
 - k. Operates in accordance with State law; and
 - l. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.
2. Lakeview Academy Charter School has adopted all of the other applicable definitions as found in USBE SER I.E.1-44.

C. Budget Information and Categories.

Lakeview Academy Charter School provides detailed budget information and budget categories in its annual application for IDEA Part B funding submitted to the Utah State Office of Education.

D. Assurances.

Students are admitted to Lakeview Academy Charter School based solely on the lottery and other requirements under the Utah Code and the USBE Administrative Rules for Charter Schools, and without restrictions due to race, color, gender, national origin, disability status, or religion. Assurances with regard to compliance with IDEA Part A and Part B, as well as the National Instructional Materials Accessibility Standard, and compliance with

other Federal laws including "New Restrictions on Lobbying," "Debarment, Suspension, and Other Responsibility Matters," and the Drug-Free Workplace Act of 1988 are submitted to the Utah State Office of Education (USOE) annually with the application for IDEA Part B funding.

E. General program description.

Lakeview Charter School is located at 527 W. 400 N. in Saratoga Springs, Utah. The building is approximately 55,000 square feet with administrative offices, computer lab areas, a library, teacher's lounge, teacher's workroom, sick area, special education classroom, counseling and related services room, cafeteria, full service kitchen, stage, and gymnasium. Lakeview Academy has currently 630 students enrolled in grades K-9. The Utah Core Curriculum is the foundation for the curriculum in all grade levels, with basal and supplementary materials used for daily instruction in classrooms.

Lakeview Academy was founded by a group of parents all sharing a desire to create a school environment that was innovative, encouraged parent involvement, service oriented, and addressed the needs of all students through differentiated instruction in the classroom.

The mission of Lakeview is to create confident, capable, and contributing members of society through learning experiences that foster growth, creativity, and character development in a friendly environment.

Innovative teaching methods are an integral part of learning at Lakeview Academy. By varying our teaching methods, we can reach all types of learners through creative hands-on projects, small group activities, family events, and special presentations.

Enhancement Day is one of the ways Lakeview accomplishes this task. Since real-life application and multi sensory learning are at the core of our progressive approach to education, this unique program is designed to enhance the student's learning experience. Students will be engaged in experiential and expeditionary learning through this program, thus allowing students to build and demonstrate what they have been learning in class.

Lakeview's character education program is another highly valued program designed to build student's self-confidence and social skills.

Lakeview Academy's academic focus centers on science, technology, and the arts. Spanish, art, technology, and science are taught in grades K-9.

The Board of Directors at Lakeview Academy believes strongly that an

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annual self-improvement plan is essential to improving the education program. Each year the Board assesses Lakeview Academy's performance as it relates to academic performance, its vision, and UPASS, with the self-

assessment driving the goals and objectives for each annual improvement plan.

F. Free Appropriate Public Education (FAPE).

1. Lakeview Academy Charter School follows the requirements of Charter Schools that are LEAs and Their Students (USB SER III.O)
 - a. Students with disabilities ages 5 through 15 who attend Lakeview Academy, an LEA public charter school, and their parents, retain all rights under Part B of the IDEA and the USBE SER.
 - b. Lakeview Academy Charter School is an LEA that receives funding under Part B, and is responsible for ensuring that all of the requirements of Part B of the IDEA and these Rules are met.
 - c. Lakeview Academy Charter School, a public charter school, provides a Free Appropriate Public Education (FAPE) to all eligible students with disabilities in conformity with the requirements of the Utah State Board of Education Special Education Rules (USB SER) and the United States Department of Education Final Regulations for the Individuals with Disabilities Education Act of 2004 (IDEA) August 2006.
2. Free appropriate public education (FAPE). (USB SER I.E.15) Special education and related services that:
 - a. Are provided at public expense, under public supervision and direction, and without charge;
 - b. Meet the standards of the USOE and Part B of the IDEA;
 - c. Include preschool, elementary school, and secondary school education in Utah; and
 - d. Are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of Part B of the IDEA and these Rules.

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G. Full Educational Opportunity Goal (FEOG).

Lakeview Academy Charter School hereby affirms the goal of providing a full educational opportunity to all students with disabilities determined eligible for special education or special education and related services under the IDEA and the USBE SER, of the ages served by the Charter

School between five and fifteen, and in accordance with all of the timeline requirements of the IDEA with respect to the identification, location, evaluation, and provision of a free appropriate public education.

I. IDENTIFICATION, LOCATION, and EVALUATION of STUDENTS SUSPECTED of HAVING DISABILITIES

A. Child Find. (USBE SER II)

Lakeview Academy Charter School has policies and procedures to ensure that all students with disabilities enrolled in the grades the school serves, including students who are highly mobile, students who have been suspended or expelled from school, students who have not graduated from high school with a regular high school diploma, and those who are suspected of being a student with a disability and who are in need of special education or special education and related services even though they are advancing from grade to grade, and regardless of the severity of the disability, are identified, located, and evaluated. This includes a practical method for determining which students are currently receiving needed special education or special education and related services.

B. Child Find Procedures.

Lakeview Academy Charter School conducts the following procedures to ensure that students suspected of having a disability are identified and located:

1. Finding students who have been receiving needed special education or special education and related services.
 - a. The enrollment application includes questions about whether a student has received special education or special education and related services in the previous school or educational program.
 - b. Parents are asked during the registration if the students received any services beyond the regular program in the

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previous school.
 - c. If a parent responds in the affirmative, a phone contact is made or a fax is sent to locate and request those special education records from the previous school.
 - d. Lakeview Academy Charter School follows all procedures detailed on the In-State and Out-of State Transfer Student Checklist of the USOE.

2. In identifying and locating students who are suspected of having a disability but have not been previously identified or determined eligible for special education or special education and related services, Lakeview Academy Charter School implements the following procedures:
 - a. Annual training of all staff on the Child Find obligation and how to be alert for observed behaviors that suggest a suspected disability.
 - b. Notice in a student or parent handbook of the referral procedures and of the availability of services for eligible students with disabilities.
 - c. If a parent or staff member is concerned about a student outside the grade levels of Lakeview Academy Charter School, the parent or staff member is referred to the district of the student's parent's residence.

C. Referral.

1. Procedure.

When either a parent or an LEA suspects a student may have a disability, the following referral procedure is implemented:

- a. An initial screening is completed by the Director/Principal. If deemed appropriate, the referral is transferred to the CMT.
- b. Teachers implement pre-referral interventions and provide documentation of the results to a Child Management Team (CMT), which includes a general education teacher (see

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additional description of CMT in section H. Eligibility Determination, part 4c.
- c. Note: Pre-referral interventions may not be used to substantially delay an evaluation for eligibility.
- d. The referring person completes and signs a referral form. If school personnel are making the referral, attach documentation of contacts with the parents about the concerns regarding the student's educational performance.
- e. The referral from is given to the Director/Principal, who reviews

existing data (including pre-referral intervention results and Child Management Team recommendations) on the student and determines if the referral should go forward for a full evaluation. If it is decided that the evaluation should take place, the Director/Principal assigns a staff member to oversee/conduct the evaluation. If the referral is not going to result in a full evaluation, the Director/Principal sends the parent a Written Prior Notice of Refusal to take the action of conducting an evaluation.

D. Evaluation.

1. Parental Consent.

Prior to initiating a full and complete individual evaluation, parental consent is required. The consent informs the parent that the evaluation is being proposed because the student is suspected of having a disability that affects his educational performance and that he/she may be eligible for special education or special education and related services. The consent indicates the areas in which the evaluation team will conduct tests or administer other assessment tools to the student. Consent for evaluation must not be construed as consent for provisions of special education services.

Reasonable efforts to obtain parental consent are made and documented by the Lakeview Academy Charter School. Lakeview Academy Charter School follows the requirements of USBE II.C.4 with respect to parents who cannot be located.

Parental consent is not required before administering a test or other evaluation that is given to all students, or before conducting a review of existing data.

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2. Written Prior Notice.

The parent is given Written Prior Notice that the evaluation will take place. (See Section IV.C of this Policy and Procedures Manual for required components of Written Prior Notice.) Written Prior Notice is embedded in the Lakeview Academy Charter School Consent for Evaluation form.

3. Evaluation Timeline.

When the signed parental consent or refusal of consent for evaluation is received at the school, the special education director or teacher writes the date it was received on the form to document the beginning of the timeline for the evaluation. Lakeview Academy Charter School completes and/or obtains all evaluations within 45

school days of receiving the consent. The 45 school day timeline does not apply if the parent fails to produce the student for the evaluation. If the student enrolls in Lakeview Academy Charter School after the timeframe has started in a previous LEA, Lakeview Academy must make sufficient progress to ensure prompt compliance in accordance with a written agreement with the parent as to when the evaluation will be completed.

4. Evaluation Process.

a. Review of Existing Data.

When conducting an initial evaluation (when appropriate), the evaluation team considers existing data on the student's educational performance. This may include student records of grades, courses completed, statewide test results, LEA-wide test results, classroom assessments, teacher interviews, observations, notes in the student's cumulative file, and any other information available.

b. Administration of Additional Assessments.

In addition, the special education staff administers assessments in other areas as part of a full and individual initial evaluation, as indicated on the Consent for Evaluation, in order to determine eligibility and the student's educational needs. The test administration follows all of the requirements of the USBER SER II.F-H, including:

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- Use of a variety of assessment tools
- Use of more than one procedure
- Use of technically sound instruments
- Selection of tools that are not discriminatory on a racial or cultural basis
- Administration in student's native language or mode of communication
- Use of assessments for the purposes intended and in accordance with the publisher's administration standards
- Administration by trained and knowledgeable personnel
- Use of tools that assess what they purport to measure and not just the student's disability
- Assessment in all areas related to the student's suspected disability
- Comprehensive assessment, not just in areas commonly associated with the specific disability

d. Evaluation Requirements.

Evaluations for students suspected in each of the 13 areas of disability include the requirements for evaluation procedures and assessment of student performance in specific areas identified in USBE SER II.J.1-13.

E. Reevaluation Procedures. (USBE SER II.G)

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1. Lakeview Academy Charter School conducts a reevaluation of each student with a disability when the educational or related services needs, including improved academic achievement and functional performance, of a student warrant a reevaluation; or if the student's parent or teacher requests a reevaluation.
2. Parental consent for reevaluations.
 - a. Lakeview Academy Charter School obtains informed parental consent prior to conducting any reevaluation of a student with a disability, if the reevaluation includes the administration of additional assessments to the student.
 - b. If the parent refuses to consent to the reevaluation, the LEA may, but is not required to, pursue the reevaluation by using the consent override procedures provided in the procedural safeguards, and including mediation or due process procedures.
 - c. The reevaluation may be conducted without parental consent if the school can demonstrate that it made reasonable attempts to obtain such consent and the student's parent has failed to respond. A written record of the attempts is maintained in the student's special education file.

F. Additional Requirements for Initial Evaluation and Reevaluation Procedures. (USBE SER II.H)

1. As part of any initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, must review existing evaluation data on the student. This review may be conducted without a formal meeting. The special education teacher/case manager may review and discuss the existing data with team members and the parent individually. Existing data may include evaluations and information provided by the parents of the student; current classroom-based, local or State

assessments, and classroom-based observations; observations by teachers and related services providers; grades; attendance, and other information regarding the student's current educational performance.

2. The IEP team and appropriate other qualified professionals, based on their data review and input from the student's parents, identifies what additional data, if any, are needed to determine whether the student is or continues to be a student with a disability and the

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educational needs of the student, and

- a. The present levels of academic achievement and related developmental needs of the student;
 - b. Whether the student needs special education and related services; or, in the case of a reevaluation of a student, whether the student continues to need special education and related services; and
 - c. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.
3. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine continuing eligibility and student needs, the parents are given Written Prior Notice of that decision and of their right to request additional assessment. Lakeview Academy Charter School then prepares a new Evaluation Summary Report, including new and previous data as appropriate, and sends a Notice of Meeting for Eligibility Determination. A new Eligibility Determination form is completed and signed by the team, and the parents are given Written Prior Notice of that determination along with a copy of the Evaluation Summary Report and the Eligibility Determination documents. Written Prior Notice is embedded in the Eligibility Determination document.
 4. If the parent requests additional assessment as part of the reevaluation, Lakeview Academy Charter School conducts assessment in the areas of educational functioning requested. When the additional assessment is completed, Lakeview Academy Charter School then prepares a new Evaluation Summary Report, including new and previous data as appropriate, and sends a Notice of Meeting for Eligibility Determination. A new Eligibility Determination form is completed and signed by the team, and the parents are given Written Prior Notice of that determination along with a copy of the

Evaluation Summary Report and the Eligibility Determination documents. Written Prior Notice is embedded in the Eligibility Determination document.

5. Evaluations before change in eligibility.

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- a. Lakeview Academy Charter School evaluates students with disabilities before determining that students are no longer eligible for special education or special education and related services. However, an evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular diploma, or due to the student's reaching age 22, as provided under State law.
- b. For a student whose eligibility terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for FAPE under State law, Lakeview Academy Charter School provides the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's postsecondary goals.

6. Parental consent is not required before:

- a. Reviewing existing data as part of an evaluation or a reevaluation; or
- b. Administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

G. Evaluation Timelines.

1. An initial evaluation must be completed within 45 school days of the date the school receives parental consent for the evaluation.
2. Upon completion of the evaluation or reevaluation, the IEP team and other appropriate professionals determine eligibility within a reasonable time.
3. A reevaluation:
 - a. May not be conducted more than once a year, unless the parent and the LEA agree otherwise; and
 - b. Must occur at least once every three (3) years, unless the parent and the LEA agree that a reevaluation is unnecessary.

H. Eligibility Determination.

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1. Notice of Meeting.

Upon completion of the evaluation, the special education teacher (case manager) arranges a meeting of the eligibility team at a mutually agreeable time and place. A Notice of Meeting will be sent to the parent and other members of the team stating the meeting purposes, time, place, who is expected to be in attendance, and letting the parent know that they may bring others who have knowledge of the student to the meeting.

2. Evaluation Summary Report.

The special education case manager collects all of the results of the evaluation, and writes a summary report of the evaluation information. This Evaluation Summary Report is part of Lakeview Academy Charter School's Eligibility Determination document for each disability category.

3. Eligibility Team Membership.

The eligibility team shall include a group of qualified professionals and the parent. In the Lakeview Academy Charter School, this may include the special education director, special education teacher, regular education teacher, speech-language pathologist, school psychologist, occupational therapist, physical therapist, and others who have conducted parts of the evaluation, as appropriate.

4. Eligibility Categories, Definitions, and Criteria.

Lakeview Academy Charter School has adopted the definitions, evaluation requirements, and eligibility criteria in USBE SER.II.J.1-13.

The team described may determine that a student has a specific learning disability if:

- a. The student does not achieve adequately for the student's age or State-approved grade-level standards in one or more of the following areas identified below, when using a process based on the student's response to scientific, research-based intervention at the student's age or State-approved grade-level standards.

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- b. The student may qualify in Oral Expression; Listening comprehension; Written expression; Basic reading skills; Reading comprehension; Mathematics calculation; Mathematics problem solving; and the group determines that it's findings are not primarily the result of a visual, hearing, or motor disability; Intellectual disability; Emotional disturbance; Cultural factors; Environmental or economic disadvantage; or Limited English proficiency.
- c. The learning disability must adversely affect the student's educational performance.
- d. The student with the learning disability must need special education and related services.
- e. For the category of Specific Learning Disability (SLD) Lakeview Academy Charter School has selected Method C: Combination of 3 Tier Model/Response To Intervention (RTI) and Discrepancy Methods. When Method C is used, the LEA procedures must include the elements outlined for both Method A and Method B of the USOE Guidelines for SLD. Data from the 3-Tier Model/(RTI) method would be considered in combination with the confidence level from targeted, norm-referenced assessment, as identified in the ESTIMATOR manual used with the Discrepancy method. If a student is referred by a parent, staff member or Child Management Team (CMT) (described below) Lakeview Academy Charter School follows all of the procedures of the USBE SER and this Manual for referral and initial evaluation.
- f. The 3-Tier Model/RTI Method.

If the student has participated in process that assess the student's response to scientific, research-based intervention as part of determining if the student has a specific learning disability, the team's documentation of the determination of eligibility with a specific learning disability must contain a statement of:

- The instructional strategies used and the student-centered data collected; and

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- The documentation that the student's parents were notified about the State's policies regarding the amount and nature of student performance data that would be

collected and the general education services that would be provided.

- Strategies for increasing the student's rate of learning;
- The parents' right to request an evaluation.

- g. A 3-Tier Model/RTI approach is used for all students at Lakeview Academy Charter School, and all parents are informed that this is the approach used in reading and math. In addition, parents are informed of the right to request an evaluation for eligibility at any time if they suspect their student has a disability, and of the State's policies regarding the amount and nature of student performance data that will be collected and the general education services that are provided. Documentation that the parent received this information is in the student's file. Outlined below are the procedures for achievement grouping used in reading. Lakeview Academy Charter School also creates achievement-based groups for math and uses both interventions and aides, similar to the description below.

Lakeview Academy Charter School's current reading program is a research based program that includes a multi-tiered model of service delivery. Students are achievement grouped across grade levels with instruction targeted to the appropriate instructional level of students within groups. Each teacher has an instructional aide to assist in providing interventions. Data from Dynamic Indicators of Basic Early Literacy Skills (DIBELS) and teacher running records are used to determine placement and movement between groups. DIBELS progress monitoring is used for all students, but varies in the frequency given depending on the specific level of the student. Progress monitoring is conducted as follows: Benchmark or above, once a month; Strategic level, twice a month; Intensive level, once a week. Centers, reading groups within the achievement grouping, and one on one instruction are used to meet students' needs.

- g. If students are not achieving adequately for the student's age or State-approved grade level standards, or is not making

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adequate progress toward the grade level expectations in one or more of the areas of specific learning disability-oral expression, listening comprehension, mathematics calculation, and mathematics problem solving-they are referred to a Child Management Team (CMT) that includes regular education teachers, administration, a special education director/teacher

and can include other instructional specialists as needed. The CMT uses a data-based decision making process to evaluate the effectiveness of interventions. The CMT may recommend, based on data presented at the meeting, some pre-referral interventions including Title 1 targeted assistance. Data may include DIBELS, Utah CRT's, classroom assessment, program-embedded assessments, and others.

- h. Parents are notified by the teacher frequently when a student is struggling. Parent notification is given for any student in Title 1 targeted assistance. Each parent receives data-based documentation of student progress during instruction. If a student is not making adequate progress after an appropriate period of time, as determined by the CMT, a referral for evaluation is made.

If at any time in the process of interventions the parent requests special education testing, Lakeview Academy Charter School will have a meeting with the parent to determine if Lakeview Academy Charter School should begin evaluation for eligibility for special education. Documentation of the meeting is kept. If the evaluation process is started, all of the requirements and procedures in Section II of this Policy and Procedures Manual are followed. If it is determined that an evaluation will not be conducted, the parent is given a Written Prior Notice of Refusal to conduct the evaluation.

Review of progress at each CMT meeting is done on all students referred to the CMT. Documentation of all assessments given to the student are kept for all students and are shared regularly with the parent, including those students below the benchmark and those students in special education pre-referral intervention.

- i. Lakeview Academy Charter School will receive professional development on 3 Tier Model/RTI strategies and procedures during the school year 2008-2009.

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- j. For an initial evaluation, Lakeview Academy administers appropriate assessments that meet all the criteria in Section II of this Manual. Often the standardized norm referenced assessment, Woodcock Johnson III achievement and cognitive tests are given. The team must document that the student scored above the intellectual disability range on a standardized, norm-referenced, individually administered measure of intellectual ability, such as the Woodcock Johnson III Cognitive Tests. Data from the assessments are used for input needed for the ESTIMATOR disk. The ESTIMATOR disk provides data to

Lakeview Academy Charter School on the likelihood that there is a severe discrepancy between the student's ability and the student's achievement. Lakeview Academy uses this information along with Woodcock Johnson sub-test scores and other existing data, including classroom observations, to determine possible gaps in learning.

c. Observation Requirements.

Lakeview Academy must ensure that the student suspected of having a specific learning disability is observed in the student's learning environment (including the regular classroom setting) to document the student's academic performance and behavior in the areas of difficulty. The team must decide to: Use information from an observation in routine classroom instruction and monitoring of the student's performance that was done before the student was referred for an evaluation; or have at least one member of the team conduct an observation of the student's academic performance in the regular classroom after the student has been referred for an evaluation and parental consent is obtained.

An eligibility team consisting of parents and qualified professionals including the student's general education teacher and an individual qualified to conduct individual diagnostic examinations determines whether the student is a student with a Specific Learning Disability by reviewing all data, looking for gaps in learning, why interventions have failed, whether the disability has an adverse effect on educational performance, and if specialized instruction is needed for the student to succeed, in accordance with the eligibility determination requirements of USBE SER II.

b. Specific Documentation for the eligibility determination.

The team's documentation of the determination of eligibility with a specific learning disability must contain a statement of:

- Whether the student has a specific learning disability;
- The basis for making the determination;
- The relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student's academic functioning;
- The educationally relevant medical findings, if any;
- Whether the student does not achieve adequately or make sufficient progress for student's age or to meet State-approved grade-level standard; and

- The scores that demonstrate that a severe discrepancy exists between the student's achievement and intellectual ability in one or more of the areas of specific learning disability (discrepancy);
- The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the student's achievement level.

5. Determining Eligibility. (USBE SER II.)

- a. Using the criteria for each category of disability as described above, the eligibility team shall determine:

- (1) Whether the student has a disability that
- (2) Adversely affects his educational performance, and
- (3) Whether the student requires special education or special education and related services.

Special education is defined (USBE SER I.E.38) as specially designed instruction to meet the unique needs of a student with a disability and may include related services if they meet the definition of special education. *Specially designed instruction* (USBE SER I.E.39) is adapting, as appropriate to the needs of an eligible student, the content,

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methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability, and to ensure access of the student to the general curriculum, so that the student can meet educational standards of the Charter School that apply to all students.

- c. Disclaimers. (USBE SER) A student must not be determined to be a student with a disability if the determinant factor is:

- (1) Lack of appropriate instruction in reading, including the essential components of reading instruction (phonemic awareness, alphabetic principle, vocabulary, comprehension, and fluency);

- (2) Lack of appropriate instruction in math; or

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- (3) Limited English proficiency.

- d. The determination of eligibility is documented on the appropriate "Team Evaluation Summary Report and Written Prior Notice of Eligibility Determination" form with signatures of team members.
 - e. If the disability is determined to be a Specific Learning Disability, any team member who disagrees with the rest of the team's decision may put his reasons in writing.
 - f. Parents are provided with a copy of the Team Evaluation Summary Report and Written Prior Notice of Eligibility Determination document.
6. Evaluations before Change in Eligibility. (USBE SER II.H.6)
- a. Lakeview Academy Charter School evaluates a student with a disability before determining that the student is no longer an eligible student with a disability.
 - b. An evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular high school diploma, or due to exceeding the age of eligibility for FAPE under Utah law.
 - c. For a student whose eligibility terminates due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility for FAPE under Utah law, Lakeview Academy Charter School provides the student with a summary of the student's academic achievement and functional performance, which includes recommendations on how to assist the student in meeting the student's postsecondary goals.

III. IEP DEVELOPMENT and SERVICE DELIVERY.

Lakeview Academy Charter School implements the following policies and procedures to address the IEP requirements of USBE SER III.I-U.

- A. IEP Team Meeting.

Within 30 calendar days of the determination of eligibility, the special education teacher/case manager shall arrange a meeting of the IEP team to

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develop an IEP at a place and time that is mutually convenient to the parent and the Charter School. A Notice of Meeting will be sent to the parent and other members of the team stating the purposes, time, place, who is expected to be in attendance, and letting the parent know that the parent or the Charter School may bring others who have knowledge or special expertise about the student to the meeting. The determination of knowledge or expertise of the invited person is made by the party who invited that person.

B. Parental Opportunity to Participate.

1. Parents are expected to be participants along with school team members in developing, reviewing, and revising the IEP. This includes providing critical information about needs and strengths of their student, contributing to discussions about the student's needs for special education, determining how the student will be involved and make progress in the general curriculum, deciding how the student will participate in the state and district wide assessments, and deciding what services Lakeview Academy Charter School will provide and in what settings.
2. Lakeview Academy Charter School documents in writing its attempts to get parental participation in IEP meetings. If the parent cannot attend, participation by other means such as teleconference may be used. Parents must be given whatever help they need to understand the proceedings of the IEP meetings, such as interpreters. If the Charter School cannot obtain parental participation, it proceeds with the development of the IEP as required by Part B of the IDEA and USBE SER.

C. IEP Team.

The team shall consist of the parent, the special education teacher and regular education teacher of the student, a representative of the Charter School, a person who can interpret the results of the evaluation, and the student when appropriate. Other team members may be added when they are likely to provide services to the student. The representative of the Charter School must meet the Charter School administrator standards, and have knowledge of the general education curriculum and of the availability of resources of the Charter School.

D. IEP Team Attendance. (USB SER III.F)

1. A required member of the IEP team is not required to attend all or

part of a particular IEP team meeting if the parent of a student with a disability and the Charter School agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.

2. A required member of the IEP team may be excused from attending all or part of a particular IEP meeting when the meeting does involve a modification to or discussion of the member's area of the curriculum or related services, if the parent and the LEA consent to the excusal in writing; and the member submits written input into the development of the IEP to the parent and the IEP team, prior to the meeting.

E. IEP Timelines.

1. An IEP is in effect for each identified student with a disability prior to the beginning of the school year.
2. Each student's IEP is reviewed and revised at least annually. The IEP Team reviews the IEP at least annually to determine whether the annual goals for the student are being achieved. The Team may decide to meet at the request of the parent or other IEP Team member to revise the IEP to address lack of expected progress toward annual goals and lack of progress in the general curriculum, the results of any reevaluation, information about the student provided to or by the parents, the student's anticipated needs, or other matters.
3. An IEP is developed within 30 calendar days of initial determination that a student is an eligible student with a disability.
4. Once parental consent for the initial provision of special education or special education and related services is obtained, the special education services, related services, and supplementary aids and services are provided as soon as possible.

F. Transfer Students.

Lakeview Academy Charter School provides a student transferring from another LEA in or out of the state with comparable services to those listed on an existing IEP while it determines next needed steps in accordance with the In-State and Out-of-State Transfer Student Checklist of the USOE.

G. IEP Development and Content.

1. The IEP Team will develop an IEP that is reasonably calculated to confer a free appropriate public education for the student.
2. In developing the IEP, the IEP team must consider the student's strengths, parental concerns, evaluation results, academic development and functional needs, and special factors.
3. The IEP must include:
 - a. A statement of the student's present level of academic achievement and functional performance, including baseline data on his achievement and how the student's disability affects his access and progress in the general curriculum for his age or grade level. For preschool student, goals will be based on appropriate activities. If the Charter School has established preschool standards, goals will be based on those standards.
 - b. Measurable annual goals and short term objectives as deemed necessary based on the present level statement that enable the student to be involved and make progress in the general education curriculum and addressing each of the student's educational needs resulting from the student's disability.
 - c. How progress on the goals will be measured and reported to the parents on a periodic basis.
 - d. The special education and related services, and the supplementary aids and services, the student needs to address his goals and make progress in the general curriculum. The services are based on peer-reviewed research to the extent practicable.
 - e. Program modifications and supports for the student and the teacher in the regular education classroom.
 - f. The dates that services, accommodations, and program modifications will begin and end (no more than one year from the date of the IEP); and the frequency, location, and amount of each service listed. Services listed must be specific, such as "reading comprehension," not "resource."
 - g. Consideration of special factors as follows:
 - (1) In the case of a student with limited English proficiency,

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consider the language needs of the student as those needs relate to the student's IEP;

- (2) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;
- (3) Consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
- (4) Consider whether the student needs assistive technology devices and services; and
- (5) In the case of a student whose behavior impedes the student's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.
 - (A) When making decisions on behavioral interventions, the IEP team must refer to the *USOE Special Education Least Restrictive Behavior Interventions (LRBI) Guidelines* for information on research-based intervention procedures in order to protect the safety and well-being of students with disabilities, provide protection for students, teachers, other school personnel, the Charter School, and the USOE, and ensure that parents are involved in the consideration and selection of behavior interventions to be used with their students.
 - (B) When an emergency situation occurs that requires the immediate use of moderately or highly intrusive interventions to protect the student or others from

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harm, the staff shall complete and submit the emergency contact information to the Charter School director or principal and notify the student's parents within 24 hours.

- (C) As appropriate, the student should receive a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior.
- h. If the IEP team in considering the special factors described above decides that a student needs a particular device or services for educational purposes, which could be an intervention, accommodation, or other program modification in order to receive a FAPE, the team must include these in the IEP.
- i. How the student will participate in LEA-wide and statewide assessments. While every student with a disability must participate, an individual student may be determined to participate with some accommodations based on his disability, or with modifications. Students who have the most significant cognitive disabilities, and meet other criteria in the USOE Assessment Participation and Accommodation Policy, may be assessed with Utah's Alternate Assessment (UAA). The IEP Team must indicate this on the IEP Assessment Addendum, along with the reason that the student cannot otherwise participate in the statewide assessment program.
- j. In addition to the requirements of the statewide assessment program, Lakeview Academy Charter School administers the following school wide assessments: DIBELS in grades K-6 and 7-9 as appropriate, CBM in grades K-9, and the Core Phonics Survey in grades K-6 and 7-9 as appropriate. All students, including students with identified disabilities, are included in these assessments. Students with disabilities may participate in the assessments with appropriate accommodations and modifications as determined by the IEP Team and documented in the student's IEP. Alternate assessments for individuals students, as determined by the student's IEP Team and documented in the student's IEP, are provided for students who cannot participate in the school-wide assessment in any other way.

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- k. How the student will participate in physical education services, specially designed or adapted if necessary.
- l. Each IEP team must determine whether the student will need Extended School Year (ESY) services in order to receive a free appropriate public education.

(1) This determination in Lakeview Academy Charter School

will be based on regression and recoupment data collected over at least two breaks in the school year consisting of 4 or more week days when there is no school.

- (2) If the student's recovery from measured regression on pinpointed skills directly related to the IEP goals takes so long that he would not receive FAPE without services during the summer or other school break, the IEP Team must find him eligible for ESY services.
 - (3) The IEP Team shall develop a written document that indicates which IEP goals the student will work on during the ESY, what services will be provided, how long and how often the ESY services will be provided, and the setting(s) in which the services will be provided.
- m. Assistive Technology. Lakeview Academy Charter School makes assistive technology devices or assistive technology services, or both, available to a student with a disability if required as part of the student's special education, related services, or supplemental aids and services. School-purchased assistive technology devices may be used in the student's home, if the IEP Team determines, on a case-by-case basis, that assistive technology in the home is required for the student to receive a FAPE.

H. IEP Team Access to IEP Information.

1. Lakeview Academy Charter School makes the student's IEP accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation. Each teacher and provider is informed of his or her specific responsibilities related to the implementation of the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

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2. Lakeview Academy Charter School prepares a summary (as appropriate) and a copy of the IEP encompassing the present level of academic achievement and functional performance, goals, services, and program accommodations, modifications and supports for each teacher of the student. This copy is provided to the teacher prior to the time of initial implementation of the IEP as well as annual updates as appropriate.

I. Placement in the Least Restrictive Environment (LRE). (USBE SER III.P)

1. Placement decisions are made by a group of persons, including the parents and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. This group may be the IEP Team, including the parent. The group determines the placement on the continuum of placement options where the student will receive special education or special education and related services.
2. Lakeview Academy Charter School ensures that the parents of each student are members of any group that makes decisions on the education placement of their student. If unable to get the parents to participate, after repeated and documented attempts, the team may need to proceed with a placement decision. However, no initial placement and provision of services may be put in place without written parental consent.
3. Placement is determined at least annually, based on the student's present levels of performance, goals, services, and program modifications as detailed in the IEP.
4. Identified students with disabilities shall receive the special education or special education and related services in the Least Restrictive Environment to the maximum extent appropriate to meet the student's needs. This means that the student will not be removed from the regular education classroom, with regular education peers, unless the IEP Team determines that due to the nature and severity of the disability, the student's educational needs cannot be addressed satisfactorily in the regular education environment, even with the use of supplementary aids and services.
5. Lakeview Academy Charter School provides the IDEA required range of placement options, including placement in the regular education classroom, with or without itinerant services; placement in a special class; placement in a special school; placement in a residential

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program, and homebound or hospitalized placement.

6. Lakeview Academy Charter School provides supplementary services, such as resource or itinerant instruction, in conjunction with placement in the regular education classroom, when needed.

J. Nonacademic Settings, Activities, and Services. (USBE SER III.U-V)

1. Lakeview Academy Charter School ensures that each student with a disability participates with nondisabled students in the extracurricular services and activities to the maximum extent appropriate to the student's needs. This includes meals, recess periods, counseling services, athletics, transportation, health services, recreational

activities, special interest groups or clubs sponsored by the school, referrals to agencies that provide assistance to individuals with disabilities and employment of students, and other activities and services of the Charter School.

2. Lakeview Academy Charter School ensures that each student with a disability has the supplementary aids and services determined by the student's IEP Team to provide the nonacademic and extracurricular services and activities in such a way that students with disabilities are given an equal opportunity to participate.
- K. Parental Consent for Initial Placement and Provision of Services. (USBE SER III.T)
1. In order for the IEP to be implemented and the special education services to begin, written parental consent must be obtained. If the parent refuses consent for the provision of those services, the LEA may not implement the IEP and may not access due process procedures.
 2. Lakeview Academy Charter School does not use a parent's refusal to consent to one service or activity to deny the parent or student any other service, benefit, or activity of the Charter School, or to fail to provide a student with a FAPE.
- L. Documentation of Participation.
1. All members of the IEP team will sign the IEP document indicating that they participated in the development of the IEP. A parent's signature on the IEP does not mean that the parent is in full agreement with the content of the IEP and does not abrogate the

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parental right to access the Procedural Safeguards of the IDEA.

2. If the Charter School, despite at least two documented attempts, is unsuccessful in having parental attendance at the meeting, the rest of the IEP team shall proceed with the meeting.
3. Parents may participate via telephone conference or video conference.
4. Parents will be provided with a copy of the completed IEP, and Written Prior Notice of the Charter School's intent to implement the program and services in the IEP. This Notice is embedded in the IEP form. If the Charter School refuses to include in its offer of FAPE as detailed on the IEP services or program modifications the parent has requested, a Written Prior Notice of that refusal is provided to the parent.

M. Changes to the IEP.

1. Changes to the IEP may be made at the request of any member of the IEP Team in a meeting or by amendment to the existing IEP.
2. Changes may be needed if there is new information about the student's performance.
3. Amendments to the IEP without a team meeting may be made only with the agreement of the Charter School and the parent.
 - a. Amendments such as a change in the amount of special education or related service that is no more than 30 minutes per week, a change in location that is no more than 60 minutes per week, or a goal change that is the next logical step forward or backward and is based on the student's progress may be made without a team meeting.
 - b. If the change involves a move on the continuum of Least Restrictive Environment placement options, or the amount of services to be changed is more than indicated above, or a service is to be added, an IEP Team meeting is required with a Notice of Meeting to all team members.
 - c. If changes are made to the student's IEP through the amendment process, the LEA must ensure that the student's IEP team is

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informed of these changes.

4. The parent will be provided with a copy of the amended IEP including Written Prior Notice that these additional actions or changes in actions are going to be implemented.
5. To the extent possible, Lakeview Academy must encourage the consolidation of reevaluation meetings and other IEP team meetings for the student.
6. If a participating agency, other than Lakeview Academy, fails to provide the transition services described in the IEP, Lakeview Academy must reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

N. Transition from Part C to Part B. (USBE SER VII.A)

Not Applicable

O. Transition from School to Post-School Setting. (USBE SER VII.B)

1. For a student with a disability beginning not later than the first IEP to be in effect when the student turns 16 (such as in an IEP meeting conducted when the student is 15 years old), or younger if determined appropriate by the IEP Team, the Notice of Meeting indicates that a purpose of the meeting is the consideration of the postsecondary goals and transition services for the student, that Lakeview Academy Charter School will invite the student, and identifies any other agency that will be invited, with the consent of the parent or student age 18 or older, to send a representative.
 - a. If the student does not attend the IEP meeting, Lakeview Academy Charter School takes other steps to ensure that the student's preferences and interests are considered.
2. Transition services. Beginning no later than the first IEP to be in effect when the student turns 16 (such as an IEP meeting conducted when the student is 15 years old), or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP includes:
 - a. Appropriate measurable postsecondary goals, including
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 - academic and functional goals, based upon age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills.
 - b. The transition services, including courses of study needed to assist the student in reaching the student's post-secondary goals.
 - c. If a participating agency, other than Lakeview Academy, fails to provide the transition services described in the IEP, Lakeview Academy must reconvene the IEP team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.
3. Transfer of rights of age of majority.
 - a. Beginning not later than one year before the student reaches the age of majority (age 18), the IEP must include a statement that the student and the student's parents have been informed of the student's rights under Part B of the IDEA that will transfer to the student on reaching the age of majority (except for a student with a disability who has been determined to be

incompetent by a court). These rights include:

- (1) An adult student has the right to approve the student's own educational placement and Individualized Education Program (IEP) without help from parents, family, or special advocates.
 - (2) An adult student has the right to allow parents, family, or special advocates to help if the student so desires.
- b. Lakeview Academy Charter School provides any notice required by Part B of the IDEA and these Rules to both the student and the parents.
 - c. All rights accorded to parents under Part B of the IDEA transfer to the student.
 - d. All right accorded to parents under Part B of the IDEA transfer to students who are incarcerated in an adult or juvenile, State or local correctional institution.

P. Graduation. (USBE VII.C)

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1. Lakeview Academy Charter School is not obligated to make FAPE available to students with disabilities who have graduated from high school with a regular high school diploma.
 - a. The exception above does not apply to students that have graduated from high school but have not been awarded a regular high school diploma, even if they have received an alternative degree that is not fully aligned with the State's academic standards, such as a certificate of completion or a general educational development credential (GED).
 - b. Graduation from high school with a regular high school diploma is a change in placement, requiring Written Prior Notice, containing all the requirements of WPN, and is given a reasonable time before the Charter School proposes to terminate the student's eligibility under the IDEA by issuing the student a diploma.
2. The IEP Team may amend graduation requirements and must document in the IEP the nature and extent of any modifications, substitutions, and/or exemptions made to accommodate the needs of a student with disabilities.

3. The IEP teams at Lakeview Academy Charter School refer to the USOE Special Education Graduation Guidelines for additional information.

Q. Least Restrictive Behavior Interventions (LRBI).

Lakeview Academy Charter School follows all parts of the USOE LRBI Guidelines as written. Lakeview Academy Charter School also implements the following procedures:

1. Emergency situations:
 - a. If an emergency situation occurs that requires the immediate use of behavioral reductive interventions (that require parental consent and for which parental consent has not been obtained) to protect the student or other from harm, staff must notify the student's parents within 24 hours. A copy of the Emergency Contact Form signed by the LEA must be submitted to the district Director of Special Education within 24 hours of the use of emergency procedures for each emergency occurrence. The Emergency Contact Form can be obtained through the Special

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Education Director or the LRBI USOE Rules Booklet.

- b. Definition of Emergency Situation: An emergency situation occurs when one or more of the following factors are present:
 - (1) Danger to others:
Physical violence/aggression toward others with sufficient force to cause bodily harm.
 - (2) Danger to self:
Self-abuse of sufficient force to cause bodily harm.
 - (3) Destruction of property:
Severe destruction or physical abuse of property.
 - (4) Threatens abuse toward others, self, or property:
Substantial evidence of past threats leading to any of the behaviors defined as dangers to others, danger to self, or destruction of property.
- c. If a behavior requiring emergency procedures occurs more than once per week, two times in a month, or a total of four times in a year, a behavior intervention program (BIP) must be designed to address the problem behavior. In this event, the behavior must no longer be considered a crisis and must be addressed in the IEP. The allowable instances of a behavior

requiring emergency procedures are cumulative in number, regardless of whether a different Level III or IV intervention is used.

- d. Emergency procedures must only be used by staff trained and competent in their use.

2. Behavior Expertise

The local education agency (LEA) will ensure that a recognized expert in behavior supports and interventions is a member of the IEP team in every case where a Level III and Level IV procedures are considered. It is recommended that the expert also have knowledge about the individual student.

3. Appeals Process

The local LRBI Committee will serve as the first line of appeal for

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parents and professionals when conflict arises concerning recommended behavioral interventions. If one of the parties disagrees with the IEP Team's decision:

- a. Within five school days of receiving a request for an appeal of an IEP Team's decision, the chairperson of the local Committee shall initiate steps to conduct an appeal conference. The purpose of the appeal conference is to resolve the differences and, if possible, avoid a hearing.
- b. During the pendency of a local appeal to the local Committee, the behavioral interventions in question may not be implemented.
- c. The appeal conference shall be an informal process conducted in a non-adversarial atmosphere and shall be completed within fifteen school days of receiving the request. An extension can be granted by the local Director of Special Education based on extenuating circumstances, but the extension cannot exceed an additional five school days. Every effort shall be made by the Committee to complete the review process in as few days as possible.
- d. The recommendation(s) made by the local Committee shall not conflict with the state or federal law.
- e. A copy of the written recommendation(s) shall be mailed to each party within five school days following the conference.

4. Personnel Development

Training the staff in needed competencies to implement individual LRBI procedures is a key to successful behavior change.

- a. It is the responsibility of the local Director of Special Education to ensure that staff have received training in LRBI procedures selected by the IEP team for a specific student.
- b. It is the responsibility of district staff to participate in training in LRBI procedures selected for a specific student with whom they interact.
- c. Where district staff do not think they have appropriate training to implement specific behavioral intervention procedures appropriately, it is their responsibility to request needed training from the local Director of Special Education.

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5. Procedures for Monitoring LRBI policies:

- a. Members of the LRBI Committee and other involved parties will be responsible for documenting their actions or perceptions as it relates to specific incidences or responsibilities of their position throughout the period of time that it takes to resolve said issue(s).
- b. The local Director of Special Education will be responsible for assessing and monitoring LRBI procedures, creating training or adjusting responsibilities as needed for correct implementation of these LRBI policies.

R. Private School Placements by Lakeview Academy Charter School. (USBE SER VI.A)

Before Lakeview Academy Charter School places a student with a disability in, or refers a student to, a private school or facility, or a public or private residential program in order to provide a FAPE to the student, it initiates and conducts a meeting to develop an IEP for the student, with a representative of the private school in attendance. The costs of such placements, including non-medical care and room and board, are at no cost to the parents.

If the private school or facility initiates and conducts these meetings, Lakeview Academy must ensure that the parent and an LEA representative: Are involved in any decisions about the student's IEP; and agree to any proposed changes in the IEP before those changes are implemented. Even if a private school or facility implements a student's IEP, responsibility for compliance with this part remains with the LEA and the USOE.

S. Students with Disabilities Enrolled by their Parents in Private Schools When FAPE is at Issue. (USBE SER VI.C)

If the parents of a student with a disability who had previously received special education or special education and related services from Lakeview Academy Charter School enroll the student in a private school without the consent of or referral by the school, Lakeview Academy Charter School is not required to pay for the cost of that placement if the school made a FAPE available to the student. Disagreements between the parents and Lakeview Academy Charter School regarding the availability of a program appropriate for the student and the question of financial reimbursement are subject to the State complaint and due process complaint procedures in USBE SER IV.G-V. Lakeview Academy Charter School follows other requirements in USBE SER VI.C as written.

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IV. PROCEDURAL SAFEGUARDS

Lakeview Academy Charter School, consistent with the requirements of Part B of the IDEA and the USBE Special Education Rules, has established, maintains, and implements Procedural Safeguards for students with disabilities and their parents.

A. Opportunity for Parental Participation in Meetings.

Lakeview Academy Charter School affords parents the opportunity to participate in all decisions related to the location, identification, evaluation, and provision of FAPE for their student, including decisions related to the Discipline requirements of Part B of the IDEA. This includes arranging meetings at a mutually convenient time and place, providing Notice of Meeting at least one week prior to a scheduled meeting, and making at least two documented attempts to obtain parent participation in meetings.

B. Independent Educational Evaluation (IEE). (USBE SER IV.C)

1. Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the Charter School responsible for the education of the student in question.
2. Lakeview Academy Charter School has established and implements the following policies and procedures related to independent educational evaluation that meet the requirements of Part B of the IDEA and the USBE SER.
 - a. The parents of a student with a disability have the right to obtain an independent educational evaluation of the student at public expense if they disagree with an evaluation obtained by the Charter School.

- b. The Charter School provides to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the Charter School's criteria applicable for independent educational evaluations. Lakeview Academy Charter School has available a list of persons and/or agencies where an IEE may be obtained by the parent. In addition, Lakeview Academy Charter School considers any other evaluator or agency proposed by the parent to conduct the IEE if the examiner and the evaluation meet the Charter School's criteria. A qualified examiner is one who meets the USOE criteria for qualified personnel as a special education

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teacher, school psychologist, psychologist with expertise in administration and analysis of assessments, or other equivalent qualifications as determined by the Charter School. Criteria for the evaluation are that the evaluation procedures meet all of the same standards as those listed in Section II.D-H of this Policy and Procedures Manual. Lakeview Academy Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.

- c. Lakeview Academy Charter School ensures that when a parent requests an IEE, either the Charter School files a due process complaint to request a hearing to show that its evaluation is appropriate, or that the independent educational evaluation is provided at public expense, unless the evaluation obtained by the parent does not meet the Charter School criteria as described above. If a due process complaint decision finds the Charter School evaluation was appropriate, an IEE obtained by the parent is considered by the team, but is not provided at public expense.
 - d. Additional protections for the parent of a student with a disability and for the Charter School are followed as written in USBE SER IV.C.3(c-h).
- 3. An independent educational evaluation conducted at the Charter School's expense becomes the property of the Charter School, in its entirety.

C. Written Prior Notice.

Lakeview Academy Charter School provides Written Prior Notice to parents a reasonable time before it proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or provision of a free appropriate public education to the student. The notice includes: a description of the action proposed or refused, an explanation of reasons for the proposal or refusal, a description of evaluations or other information the

proposal or refusal is based on, a statement that the parents and eligible student have protection under the Procedural Safeguards and how to obtain a copy of the Safeguards, sources of assistance to understand Part B of the IDEA, a description of other options the IEP Team considered and why the other options were rejected, and a description of other relevant factors to the proposal or refusal. The Written Prior Notice is provided in understandable language and in the parents' native language or other mode of communication.

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Lakeview Academy must give notice that is adequate to fully inform parents, including: A description of extent that the notice is given in the native languages of the various population groups in the State; A description of the students on whom personally identifiable information is maintained, the types of information maintained, the types of information sought, the methods Lakeview Academy intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information; A summary of the policies and procedures that LEAs must follow regarding storage, disclosure to third parties, retention, and destruction of personally identifiable information; and a description of all of the rights of parents and students regarding this information, including the rights under FERPA.

D. Procedural Safeguards Notice.

A copy of the Procedural Safeguards is given to the parent once a year at the annual IEP review, except that a copy also is given to the parent upon initial referral or parental request for evaluation, upon receipt of the first State complaint or due process complaint in that school year, and upon request by the parent at any time. Lakeview Academy Charter School uses the USOE Procedural Safeguards Notice that is posted on the USOE website, www.schools.utah.gov. The special education teacher/case manager provides a brief explanation of the main provisions of the Procedural Safeguards to the parents at consent for evaluation, eligibility determination, and annual IEP meetings.

This notice contains an explanation of the procedural safeguards related to independent educational evaluations, written prior notice, parental consent, access to educational records, opportunity to present and resolve complaints through State complaint or due process complaint procedures, opportunity for the Charter School to resolve the complaint, availability of mediation, student's placement during pendency of hearings, procedures for students placed in an interim alternative educational setting, requirements for unilateral placement of student in private schools at public expense, hearings on due process complaints, civil actions, attorney's fees. This notice is in language understandable to the parents.

E. Parental Consent.

Informed written parental consent is obtained for evaluation and reevaluation, initial placement/provision of special education, and for release of records to certain parties. Efforts to obtain consent are documented in writing. No student receives special education or special education and related services without the signed initial consent for

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placement in the student file. Other relevant parental consent requirements are addressed in Sections II and III of this Policies and Procedures Manual.

F. Dispute Resolution.

Lakeview Academy Charter School follows the Dispute Resolution requirements of the USBE SER described in IV.G-U as written. These include the procedures for State Complaints, Mediation, Due Process Complaints, Resolution Process, Due Process Hearings, Civil Actions, Attorney's Fees, and Student's Status during Proceedings.

G. Surrogate Parents.

Lakeview Academy Charter School assigns a surrogate parent for a student when the parent cannot be identified or cannot be located, the parent's rights to make educational decisions has been taken away by a court, the student is a ward of the state, or the student is an unaccompanied homeless youth. The surrogate parent meets the requirements of USBE SER IV.V.5-8. Lakeview Academy Charter School contacts the USOE for assistance in obtaining names of trained surrogates, and maintains a list of surrogate parents who are available when needed.

H. Transfer of Rights.

When a student reaches age 18, the age of majority in Utah, and has not been determined incompetent under State law, all rights accorded to parents under Part B of the IDEA and USBE SER transfer to the student. Lakeview Academy Charter School provides written notice of this transfer of rights at least one year prior to the student's 18th birthday.

I. Confidentiality of Information. (USBE SER IV.X)

Lakeview Academy Charter School takes appropriate steps to ensure the protection of the confidentiality of any personally identifiable data, information, and records it collects or maintains related to Part B of the IDEA.

1. Definitions. As used in these safeguards:

- a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.

- b. *Education records* means the type of records covered under the definition of “education records” in 34 CFR 99, implementing regulations for the Family Educational Rights and Privacy Act of 1974, 20 USC 1232g (FERPA).
- c. *Participating agency* means any agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.

2. Access rights.

- a. Lakeview Academy Charter School permits parents to inspect and review any education records relating to their student that are collected, maintained, or used by the Charter School. Lakeview Academy Charter School complies with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing, or resolution session, and in no case more than 45 calendar days after the request has been made.
- b. The right to inspect and review education records includes the right to:
 - (1) A response from the Charter School to reasonable requests for explanations and interpretations of the records;
 - (2) Request that the Charter School provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
 - (3) Have a representative of the parent inspect and review the records.
- c. Lakeview Academy Charter School may presume that the parent has authority to inspect and review records relating to his or her student unless the school has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.
- d. Lakeview Academy must maintain, for public inspection, a current listing of the names and positions of those employees within the LEA who may have access to personally identifiable

information on students with disabilities.

3. Record of access.

Lakeview Academy Charter School keeps a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the Charter School) in each student's special education file, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. If any education record includes information on more than one student, Lakeview Academy Charter School ensures that the parents of a student has the right to inspect and review only the information relating to their student or to be informed of that specific information.

4. List of types and locations of information.

On request, Lakeview Academy Charter School provides parents with information of the types and locations of education records collected, maintained, or used by the Charter School.

5. Fees.

Lakeview Academy Charter School may charge a fee for copies of records that are made for parents under Part B of the IDEA if the fee does not effectively prevent the parents from exercising their right to inspect and review those records; however, it may not charge a fee to search for or to retrieve information under Part B of the IDEA.

6. Amendment of records at parent's request.

- a. A parent who believes that information in the education records collected, maintained, or used under Part B of the IDEA is inaccurate or misleading or violates the privacy or other rights of the student may request the Charter School that maintains the information to amend the information. The Charter School must decide whether to amend the information within a reasonable period of time of receipt of the request. If the Charter School decides to refuse to amend the information, it must inform the parent of the refusal and advise the parent of the right to a hearing on the matter.
- b. Lakeview Academy Charter School, on request, provides an opportunity for a hearing to challenge information in education

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records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. If, as a result of the hearing, the Charter School

decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must amend the information accordingly and so inform the parent in writing.

If, as a result of the hearing, the Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must inform the parent of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the Charter School. Any explanation placed in the records of the student under this section must be maintained by the Charter School as part of the records of the student as long as the record or contested portion is maintained; and if the records of the student or the contested portion is disclosed by the Charter School to any party, the explanation must also be disclosed to the party. Lakeview Academy Charter School follows the hearing procedures described in USBE SER IV.12 as written.

7. Release and disclosure of records.

Parental consent is not required for disclosure of records to officials of agencies collecting or using information under the requirements of Part B of the IDEA, to other school officials, including teachers within the school who have been determined by the Charter School to have legitimate educational interests, to officials of another school or school site in which the student seeks or intends to enroll, or for disclosures addressed in referral to and action by law enforcement and judicial authorities, for which parental consent is not required by 34 CFR 99.

(All Utah Local Education Agencies (LEAs) include in the annual Procedural Safeguards notice that it is their policy to forward educational records of a student with disabilities without parental consent or notice to officials of another school or school district in which a student seeks or intends to enroll.)

Written parental consent is obtained prior to releasing any records to any other person or agency not listed above.

8. Safeguards.

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- a. Lakeview Academy Charter School protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

- b. The Directors/Principals of Lakeview Academy Charter School assumes responsibility for ensuring the confidentiality of any personally identifiable information.
- c. Staff members at Lakeview Academy Charter School who collect or use personally identifiable information receive training or instruction regarding the State's policies and procedures in USBE SER IV.X and 34 CFR 99 on an annual basis.
- d. Lakeview Academy Charter School maintains, for public inspection, a current listing of the names and positions of those employees within the school who may have access to personally identifiable information on students with disabilities. This list is included in the front pages of each student's special education file which is updated annually.

9. Destruction of information.

Lakeview Academy Charter School informs parents or the student age 18 or older when personally identifiable information collected, maintained, or used under Part B of the IDEA is no longer needed to provide educational services to the student. Information no longer needed must be destroyed at the request of the parents or student age 18 or older. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. Each student's records may be considered "no longer needed to provide educational services" and may be destroyed three (3) years after the student graduates or three (3) years after the student turns 22.

10. Students' rights.

The rights of privacy afforded to parents are transferred to the student who reaches the age of 18, providing the student has not been declared incompetent by a court order, including the rights with regard to education records.

J. Discipline.

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Lakeview Academy Charter School follows the Discipline requirements and procedures described in USBE SER V.A-K as written.

V. LEA ELIGIBILITY and RESPONSIBILITIES

A. Participation in assessments and reporting of assessment results.

All students enrolled in Lakeview Academy Charter School, including students with disabilities, participate in the statewide testing program and the school-wide testing program. Participation requirements in the USOE Assessment Participation and Accommodation Policy are followed. The IEP Team determines how a student with disabilities will participate, and accommodations needed, if any. Results of statewide assessments are posted on the USOE website annually.

B. Public participation in policies and procedures development.

This Policy and Procedures Manual, as well as any future changes to the contents, are presented to Lakeview Academy Charter School Board in a public meeting for review and input. The agenda for Lakeview Academy Charter School board meetings is posted at least 1 week prior to each meeting as required by state law.

C. Public posting of USOE monitoring results.

Results of monitoring from the Utah Program Improvement Planning System are posted on the USOE website annually.

D. Methods of ensuring services.

Lakeview Academy Charter School ensures that each eligible student with a disability enrolled in the school receives the services included in the IEP through a systematic process of review of IEPs and monitoring of service delivery by Lakeview Academy Charter School personnel and contracted service providers.

E. Supervision.

All personnel of Lakeview academy Charter School are supervised by appropriately qualified staff as determined by the local Charter School Board.

F. Use of Part B funds.

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Lakeview Academy Charter School follows the requirements of USBE SER IX.B in ensuring the appropriate use of funds under Part B of the IDEA. Lakeview Academy Charter School participates in the single audit process required by State law that includes an audit of Part B funds.

G. Personnel standards.

All special education and related services personnel of Lakeview Academy Charter School meet the educator licensing requirements of the USOE for the positions in which they work, as described in the USBE SER IX.H and the Highly Qualified requirements of the USOE State Plan under No Student

Left Behind and Educator Licensing – Highly Qualified Assignment (Administrative Rule R-277-510-1 through 11). All personnel necessary to carry out Part B of the IDEA are appropriately and adequately prepared, subject to the requirements related to personnel qualifications and Section 2122 of the ESEA. Lakeview Academy Charter School provides a program of professional development for all special education personnel, based on the identified skill and knowledge needs of teachers, assistants, related service providers, and others, and including targeted training for persons working with students with specific and individual needs for academic and social behavior instruction.

H. Performance goals and indicators in the State Performance Plan.

Lakeview Academy Charter School participates in additional procedures and collects and provides additional information which the USOE may require in order to meet Federal reporting requirements, including suspension and expulsion rates, LRE environments, disproportionality data, and others. (USBE SER IX.A.2)

I. Early Intervention Services.

Lakeview Academy Charter School uses not more than 15 percent of the amount it receives under Part B of the IDEA for any fiscal year, in combination with other amounts to develop and implement coordinated early intervening services for students in grades K-9 who are not currently identified as needing special education, or special education and related services, but who need additional academic and behavioral support to succeed in a general education environment. These funds are used to carry out activities including professional development that enable school personnel to deliver scientifically based academic and behavioral interventions, as well as educational and behavioral evaluations, services, and supports.

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Lakeview Academy Charter School provides any and all required data on its Early Intervention Services annually.

J. Lakeview Academy must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly. Lakeview Academy must ensure that external components of surgically implanted medical devices are functioning properly.

K. Caseload Guidelines.

Lakeview Academy Charter School follows the USOE Caseload Guidelines in overseeing the caseload of each special educator, including related service providers, to ensure that a FAPE is available to all eligible students with disabilities.

L. Enforcement.

The confidentiality requirements of Part B of the IDEA are reviewed and approved as part of the LEA eligibility process.

Certification

The Undersigned trustees of Lakeview Academy certify that this communication and support of the board policy was duly adopted as of March 5, 2009.

Signature: _____

Print Name: _____

Title: _____

Signature: _____

Print Name: _____

Title: _____

Study Items

Code of Conduct Discipline Policy

Policy Type: Required Policy
Policy Title: Code of Conduct Discipline Policy

Lakeview Academy Code of Conduct Principles:

Respect – It is expected that school members will exhibit behavior that shows respect for the rights, property and safety of themselves and others.

Responsibility – It is expected that school members will accept personal responsibility for their behavior in order to maintain a safe and productive learning environment.

Rights- It is expected that school members will honor the rights of others through the process of learning and demonstrating appropriate behavior in the context of social responsibility.

Standards of Behavior:

Lakeview Academy members will

- Show respect for the rights, property and safety of yourself and others
- Respect and appreciate diversity of all school members regardless of their race, culture, ethnicity, religion, gender, sexual orientations, age and ability
- Express themselves with socially acceptable language and gestures
- Exhibit behavior that avoids all forms of intimidation, harassment, racism and discrimination
- Dress in accordance with the school standardized dress code policy
- Treat school property and the property of others with a reasonable standard of care
- Respect the responsibility of all school members in exercising their duties
- Promote positive behavior through the avoidance of all types of violent acts
- Refrain from the possession of and being under the influence of all forms of intoxicants on school property and at school sponsored events.
- As appropriate, attend classes, activities and events and be prepared and punctual

Students Responsibilities: It is the duty of a student to –

- Participate fully in learning opportunities
- Attend school regularly and punctually
- Contribute to an orderly and safe learning environment
- Respect the rights of others and
- Comply with the discipline policies of the school

Parent Responsibilities: It is the duty of parents to –

Lakeview Academy BOT Agenda Packet March 5, 2009

- Support their children in achieving learning success
- Cause their children to arrive at school on time, in dress code and attend school on a regular basis
- Communicate regularly with their child's/children's teachers
- Ensure the basic needs of their children are met including that children are well nourished and well rested
- Support their children's teachers in their efforts to provide an education for their children by encouraging the completion of school assignments and participation in activities as assigned

Teacher Responsibilities: It is the duty of a teacher at Lakeview Academy

- Respect the rights of students
- Teach diligently the subjects and courses of study prescribed by the regulations that are assigned to the teachers by the Board of Trustees
- Implement teaching strategies that foster a positive learning environment aimed at helping students achieve learning outcomes
- Encourage students in the pursuit of learning
- Monitor the effectiveness of their teaching strategies by analyzing outcomes achieved
- Acknowledge and accommodate difference in learning styles
- participate in individual program planning and implement individual program plans under the direction of the Special Education Director, as required by law, for students with special needs
- Review regularly with students their learning expectations and progress
- Take all reasonable steps necessary to create and maintain an orderly and safe learning environment
- Maintain appropriate order and discipline in the school or room in the teacher's charge and may report to the director or other person in charge of discipline any student who disrupts the teachers ability to be effective or students ability to learn

Discipline Policy:

The policies set forth in the Lakeview Academy Discipline Policy apply to students in grades kindergarten through nine attending Lakeview Academy.

Lakeview Academy is committed to excellence for all its students. It has established this discipline policy, not as a means of punishment, but rather as a set of consequences to improve student behavior.

Violations of the student behavior provisions of this policy carry with them a very broad range of disciplinary consequences. This was intentional. The school recognizes that children in the elementary school are of the age and developmental level that the Administration needs more discretion than at the middle school level when assigning consequences.

This greater flexibility allows the Administration to utilize interventions in response to student behaviors, either in conjunction with, in addition to or in lieu of the disciplinary consequences set forth in this policy, when the circumstances so warrant, while at the same time maintaining safety and order within the school.

Discipline Review Council

Lakeview Academy will establish a Discipline Review Council (DRC) to assist the Director(s) when a student is having ongoing behavioral problems in school. This council will consist of some or all of these individuals:

Lakeview Director(s), Assistant Directors(s), one faculty member, a member of Site Advisory Council (SAC) the Guidance counselor (middle school only) and a Board of Trustees.

The DRC may also be called upon to intervene in the event that an Administrative disciplinary decision is being appealed. In such a case the DRC's process would be:

1. Determine the reason for the appeal (which will need to be clarified in writing).
2. Determine what the offense was, the student's reaction, any history related to it and any extenuating circumstances.
3. Determine the administrative action taken and the severity of the consequence.
4. Determine school policies in this matter and which, if any, of them apply.
5. Determine whether the consequence was consistent with the handbooks and policies and appropriate for the offense.
6. Make a recommendation to the parent(s) and/ or administration (whichever is appropriate) in regard to their conclusion (in written form).

Parent(s) will be allowed (but not required) to be a part of the initial meeting with the DRC in order to make their reasoning known. Once they have clarified their points, the DRC will caucus to discuss the information presented. Even if choosing to make an oral presentation the Application for Disciplinary Appeal Form will still need to be completed and submitted to the Director. (Assistance will be available through the office if requested).

Due to the nature of the positions held within the DRC, it may be necessary for the DRC to choose to have one of their members share their thoughts initially and then exit the remainder of the meeting due to conflict of interest. (This person may be substituted with another person by choice of the committee.)

Once the appeal has been filed with the school the DRC has up to three school-days to convene and make a decision (with the intent to come together as quickly as possible.)

The discipline will continue to be carried out until the DRC is able to meet. The Director has the discretion to postpone action pending the decision of the DRC if extenuating circumstances are determined.

Once the DRC has come to a final conclusion, the parent(s) will be notified. The President of the Board of Trustees and secretary should receive a copy of any appeal to the DRC since there is potential for it to be appealed beyond the DRC.

Searches:

School officials have authority to search a student when they have reasonable suspicion that a particular student has violated or is violating the rules of the School or laws of the land. The searcher will be of the same sex as the searcher.

Consequences:

Detention: Depending upon the offense, a student may be assigned detention that includes lunch detention or after school detention. On the third lunch detention a student will be assigned an after school detention. The parent must make other provisions for the transportation after the detention. A twenty-four (24) hour notification will be given to parents so that arrangements may be made for proper transportation.

Lunch Detentions will be held during lunch. Students needing to purchase a meal will be given a pass to the front of the lunch line to allow them to get to the detention room on time. Students who are late will not be admitted and will have another lunch detention added to their tally.

After School Detentions will begin promptly at 2:50 pm. Students arriving late will not be admitted and will have another after school detention added to their tally. Students need to bring something to do such as homework or a book to read during after school detention. If they have nothing, they will be given an assignment by the person administering detention. After school detention will be dismissed at 3:45 pm and students are to exit the classroom and go directly to the front of the school for pick up. Parents should be waiting there to pick them up. Students not picked up by 4:00 pm. will be charged a supervision fee as follows: \$10 after 4:15 pm, \$15 after 4:30 pm. and \$20 after 4:45. After 4:45 it is up to the discretion of the Director to contact the proper authorities.

In School Suspension (ISS): Students will be removed from class and placed in a setting which is isolated from the rest of the students and conducive to work. A supervisor will be in charge of keeping the students in ISS on task.

Out of School Suspension (OSS): Suspension is the exclusion of a student from school for a period of one (1) to (10) days and is in the custody of the parent/guardian during school hours. Students have the responsibility to make up exams and work missed while on suspension. The Administration will arrange for classroom assignments and parents may pick up assignments at the school office. Teachers must be given one day to prepare assignments. Students are not permitted on school grounds during the suspension and are excluded from participation in all school-sponsored activities including, but not limited to, school athletics, school dances or field trips.

Expulsion: Expulsion is the exclusion of a student from school property, any school sponsored activity, and any public conveyance providing transportation to a school or school-sponsored activity for any period of time greater than ten (10) school days. Prior to any student being expelled a formal hearing with the DRC will be held. Students who are expelled may not attend or participate in any school activities/events including school dances, field trips and athletics.

The following is a list of outlined behaviors that will incur consequences ranging from a simple warning for first time offender to the contact and intervention of local authorities.

Lakeview Academy

Situational Categories for Elementary and Middle School Discipline (K-9)

| Situational Category | Discipline | Referral Process | Notification of F | |
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| Assault – Students are prohibited from assaulting another student or any school personnel. <i>“Assault”</i> is the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury | 1-10 day OSS Possible referral for expulsion | Director | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Attendance- Class Cut- Absence from class without the knowledge and prior written permission of the teacher whose class is missed. Leaving Campus- Leaving campus during school hours without written permission of a Parent/Guardian and/or without following proper check out procedures. (see the front office for details) | A “0” will be given in all classes from which the student was absent. Based on the number of violations, discipline may range from a warning to detentions. | Director Assistant Director Counselor | Parents will be notified | |
| Cheating /Plagiarism – “Cheating” is to violate rules dishonestly, or to deceive, deprive by fraud, pretend, or obtain property/information, answers by distortion of truth, swindle, to copy or plagiarize another student's work or all of the above. Cheating includes the use of technologies such as text messaging, cellular telephones, palm pilots, hand-held computer, etc. in a deceptive or dishonest manner. <i>“Plagiarize”</i> -to steal or pass off as one's own the ideas or words of another. | Student will receive a “0” for the assignment/test Detention 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Classroom/Laboratory/School Safety – Actions which endanger oneself or others through the use or misuse of classroom equipment or any other object found on school property, including classrooms, laboratories, hallways, cafeterias and including the exterior of the school property. Violations of the offense range from inappropriate and dangerous use of chemical in a science laboratory to throwing snowballs on school property. | Warning Detention ISS 1-10 day OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Computer Misuse- The Student Computer Acceptable Use Policy will be enforced. Please refer to the policy for details. | Temporary or permanent loss of privilege to use internet/School computers Detention 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |

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| Skippping Detention -Depending upon the offense, a student may be assigned detention that includes lunch detention or after school detention. On the third lunch detention a student will be assigned an after school detention. The parent must make other provisions for the transportation after the detention. A twenty-four (24) hour notification will be given to parents so that arrangements may be made for proper transportation. | Further detention assignment ISS 1-10 days OSS | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Disrespect - A lack of respect or deference shown by a student to the authority or position of school employees. | Warning Detention ISS 1-10 day OSS | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Disorderly Conduct -Fighting, threatening, engaging in violent behavior, making unreasonable noise, using obscene language or gestures, creating a hazardous or physically offensive condition for no legitimate reason, for the purpose of creating or resulting in public inconvenience or alarm. | Warning Detention 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Disruptive Behavior -Student behavior, including verbal, physical written, etc., actions, which is distracting, detrimental or not conducive to the learning environment of other students while in school. Disruptive behavior may include but is not limited to, or may be a combination of, behavior defined as disorderly conduct, disrespect, profanity, fighting and or insubordination. | Warning Detention ISS 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Dress Code -Students are required to abide by the school's dress code policy. | When a uniform problem arises, the student will be verbally reminded and a written reminder of the uniform standards will be sent home to the parents. A second uniform infraction will require the student to go to the school office and phone a parent to bring the appropriate clothing to school. The students will wait in the office until the parent arrives with the necessary uniform items (s). A third or future uniform infraction will require a parent and student conference with the director. Detention ISS 1-5 days OSS | Director | Parental contact; if violated, parent conference | |
| Electronic Devices – "Permitted Electronic Devices" include, but are not limited to laptop computers, palm pilots, and any other similar device or new technology developed for similar purposes, which are intended or actually used for instructional or educational purposes as approved by the classroom teacher. | The consequences for the possession of or use of a prohibited electronic devices are: Confiscation of the ED | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |

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| <p>Students may possess and use permitted EDs at school upon receiving prior authorization by classroom teacher and the equipment is registered with the on-site computer technician. A student's use of a permitted ED for a purpose other than instruction or education <u>during school hours</u> will render the use of the ED "prohibited" and the consequences for the use of prohibited EDs shall apply. Student Computer acceptable use policy will be enforced.</p> <p><i>"Prohibited electronic devices"</i> include, but are not limited to, laser pointers and attachments, cellular phones, radios, i-pods, headphones, video games, walkie-talkies, cameras, two way communication devices, including technology developed for similar purposes. Students are prohibited from using prohibited EDs <u>during school hours.</u></p> <p><u>"During School hours,"</u> for the purposes of this policy, means on school property <u>from the first warning bell to the final bell of the day and/or off school property on a school sponsored activity/event or function.</u></p> | <p>(the ED will not be returned directly to student; parent must retrieve ED)</p> <p>Warning Detention 1-10 days OSS</p> <p>Subsequent offenses may result in loss of privileges to use any EDs at school for one calendar year.</p> <p>If the ED is used in connection with any other student behavior offense, the disciplinary consequences for that offense shall apply in addition to above consequences</p> | | | |
| <p>Endangerment-Deliberate conduct which recklessly causes another person to be placed at risk of death or serious injury, or threaten the health, safety or well-being of others. Acts of endangerment include, but are not limited to :</p> <ul style="list-style-type: none"> • Setting fires (arson) • Falsely setting off fire alarms • Tampering with fire extinguishers • Bomb threats • Inciting or participating in a riot | <p>1-10 days OSS</p> <p>Possible referral for expulsion</p> <p>Restitution may be required</p> | Director | <p>Pa</p> | <p>m 2/20/09 11:33 AM Deleted: at school.</p> <p>m 2/20/09 11:35 AM Deleted: School</p> <p>m 2/20/09 11:37 AM Deleted: at school sponsored events and activities and on school buses or other forms of transportation. -</p> |
| <p>Extortion/Stealing-"Extortion" is obtaining money, property, or articles by threats or force.</p> <p>"Stealing" is the taking of another person's possessions without permission, or obtaining possession of the property of another by deception or blackmail without the intent of returning the property to the owner, or taking possession of property one knows to be or has reason to know is stolen without the intent of returning to the owner.</p> | <p>1-10 days OSS</p> <p>Possible referral for expulsion</p> <p>Restitution and /or return of items</p> | Director | Parents will be notified | |
| <p>Fighting-Any physical conflict between two (2) or more persons. Any student who interferes with a staff member trying to stop a fight will be treated as if fighting. Any student provoking a fight (agitating, instigation, intimidating, or spreading rumors so as to cause a fight, or threatening another student or any school personnel) will be dealt with in a similar manner as if fighting. In certain circumstances, an incident which may have begun as a fight could escalate into an act of assault/physical act of violence (an expellable offense)</p> | <p>Warning Detention 1-10 days OSS Possible referral for expulsion</p> | <p>Director</p> <p>Counselor</p> | <p>Parents will be notified</p> <p>A conference will be appropriate staff</p> | |
| <p>Forgery-Falsely and fraudulently making or altering a writing or other document</p> | <p>Warning Detention 1-10 days OSS Possible referral for expulsion</p> | <p>Director</p> <p>Counselor</p> | Parents will be notified | |

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| Gambling -The making of any bet or wager and/or the organization of or participation in any lottery, numbers game, cards, dice, pool or bookmaking for money or property. | Warning Detention ISS 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be parent, student and appropriate staff | |
| Harassment - It is the policy of the School to maintain an effective learning environment that is free from the intimidation, bullying and or abuse of students that rises to the level of "harassment." Students are encouraged to report to school official any incidents of harassment. Upon receiving a complaint of harassment, the school will investigate the allegations. "Harassment" includes, but is not limited to, unwelcome and offensive, slurs, jokes or other verbal/oral, graphic or physical conduct, relation to an individual's race, color, religion, ethnicity, nation origin, sex, gender sexual orientation, age or disability which is so severe or pervasive in nature that it creates, or poses a realistic threat or interferes, or poses a realistic or well-founded threat of interfering with, the rights of the student/s or the student/s' access to or participation in the benefits or programs offered by the School. It shall be a violation of this policy to harass a student. Bullying is a form of harassment. | Based on the severity, persistence and effect on the victim, the following may occur Warning, Detention / ISS 1-10 day OSS, Possible referral for expulsion | Director Counselor | Parents will be notified | |
| Inappropriate Touching - The intentional physical contact with another person without his/her consent. Inappropriate touching may rise to the level of harassment. | Warning Detention ISS 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified | |
| Insubordination -the outright refusal to obey a directive from any staff member after more than one attempt has been made to encourage students to comply without disciplinary action being initiated. | Warning Detention ISS 1-10 days OSS | Director Assistant Director | Parents will be notified | |
| Loitering - To hang around, to lag behind, to aimlessly stop or pause without legitimate purposes, to remain on school property after requested to vacate premises by school personnel | Warning Detention ISS 1-5 day OSS | Director Assistant Director | Parents will be notified A conference will be parent, student and appropriate staff | |
| Physical Acts of Violence -Students are prohibited from committing physical acts of violence on another student or any school personnel. "Physical Act of Violence" –is the deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another | Warning Detention 1-10 days OSS Possible referral for expulsion | Director | Parents will be notified A conference will be parent, student and appropriate staff | |
| Profane, Vulgar Language or Gestures -Language or gestures which are crude, coarse, gross or irreverent and inappropriate for the educational setting. | Warning Detention ISS 1-10 day OSS | Director | Parents will be notified A conference will be parent, student and appropriate staff | |
| Sexual Conduct -Any physical contact of a sexual nature between students, even when voluntary, welcome or invited. | Warning Detention ISS | Director Assistant Director Counselor | Parents will be notified A conference will be | |

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| | 1-10 day OSS Possible referral for expulsion | | parent, student and appropriate staff | |
| Smoking -The use or possession of tobacco or tobacco products, on any part of the school property. Tobacco is defined as a lighted or unlighted smoking product and smokeless tobacco in any form. Utah state law requires the School to file charges for any violation of the smoking policy. Any student who serves as a "look out "will be treated as if smoking. | Detention 1-10 days OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff. Charges may be filed | |
| Tardiness-(School/Class) – A student who is more than 10 minutes late for their Advisory or Homeroom class will need to check in at the office and receive a pass to be allowed into class. Middle School: Students who come to class tardy after a class change will be recorded by the teacher as being tardy. Repeat offenders are subject to sanctions as outlined. Students who are chronically truant may be referred to the authorities under the Utah State Compulsory Education Act. | Warning Detention ISS 1-5 days OSS | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Terrorist Threats/Acts -Students are prohibited from communicating a terrorist threat to or about any student or employee of the school. Board member or community member, and are prohibited from committing a terrorist act directed at any student or employee of the school. "Terrorist threats" are threats to commit any crime of violence to another or to cause evacuation of a building, place of assembly or facility or to cause serious public inconvenience, or in reckless disregard of the risk of causing such terror or inconvenience. "Terrorist acts" are offenses against property or involving danger to another person. | 1-10 day OSS Possible referral for expulsion | Director Counselor Appropriate Agencies | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Trespassing -To enter or remain in or on school property or vehicles, knowing or having reason to know that one is not permitted to enter or remain. | Detention 1-10 day OSS Possible referral for expulsion | Director Assistant Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |
| Unauthorized Substances (Illegal Drug Policy) - Students are prohibited from possessing, using or delivering unauthorized substances or paraphernalia. "Unauthorized substances" shall include but are not limited to alcohol, illegal drugs, controlled substances, prescription drugs, non-prescription drugs which are being used in an abusive or unlawful manner or in a manner for which they were not intended or prescribed, non prescription drugs which are possessed by the student without compliance with the School's procedures regarding student use of medication, anabolic steroids, look-alike drugs/substances and any substances which is | Detention 1-10 days OSS Possible referral for expulsion | Director Counselor | Parents will be notified A conference will be held with parent, student and appropriate staff | |

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| <p>intended to alter mood. "Paraphernalia" is tools or equipment whose function is to aid a user in consuming or selling any type of drug, controlled substance, or alcohol or any other unauthorized substance. "Look -alike drugs/substances "include any substance that substantially resembles or is meant to represent any illegal drug or unauthorized substance.</p> <p>Nothing in this policy relating to the prohibition of using or possessing unauthorized substances intended to nullify the procedures followed by the school regarding student use of medication.</p> | | | | |
| <p>Vandalism-Is the deliberate or reckless destruction, damage or defacement of School property or property controlled by the School.</p> | <p>Warning Detention ISS 1-10 day OSS Expulsion Restitution</p> | <p>Director Counselor</p> | <p>Parents will be notified</p> | |
| <p>Weapons-Students are prohibited from bringing, carrying, using, concealing, or possessing weapons or any replica or look alike object thereof, on school property, transportation to a school or school – sponsored activity.</p> <p>Notification of teachers of weapons on school property – Immunity from civil and criminal liability.</p> <p>(1) Whenever a student is found on school property during school hours or at a school-sponsored activity in possession of a dangerous weapon and that information is reported to or known by the director, the director shall notify law enforcement personnel.</p> <p>(2) A person who in good faith reports information under Subsection (1) and any person who receives the information is immune from any liability, civil or criminal, that might otherwise result from the reporting or receipt of the information.</p> | <p>Immediate Removal (Zero Tolerance)</p> <p>1-10 day OSS</p> <p>Possible referral for expulsion</p> | <p>Director Assistant Director Counselor</p> | <p>Parents will be notified</p> <p>A conference will be with parent, student & appropriate staff</p> | |

Certification

The undersigned officers and or directors of Lakeview Academy certify that this Parent Assisted Learning (PALS) Volunteer Policy was duly adopted as of June 5, 2008.

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| <p>Signature: _____ <u>Tina Smith</u></p> <p>Print Name: _____ <u>Tina Smith</u></p> <p>Title: _____ <u>Board</u></p> | <p>Signature: _____ <u>Tim Willden</u></p> <p>Print Name: _____ <u>Tim Willden</u></p> <p>Title: _____ <u>Board Vice</u></p> |
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| <u>Member</u> _____ | <u>President</u> _____ |
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Computer Use Policy

Policy Type: Required Policy
Policy Title: Computer Acceptable Use Policy

Lakeview Academy Student Computer Acceptable Use Agreement 2006-07 School Year

Privileges

The use of school computers is a privilege and is an integral part of the educational program for all students. Computer services provided by Lakeview Academy are not intended for personal or private use. System administrators will determine appropriate use and access. Their decision is final, but can be appealed to the board. Students have no expectation of privacy of electronic data. System Administrators monitor, log, and may review any or all files and/or messages.

School Responsibility

Lakeview Academy takes student internet safety very seriously. Strict measures, such as internet filters are in place so that inappropriate material is not accessible to the students. 100% internet safety is not guaranteed and some content which may be offensive may still be accessible. Lakeview Academy makes no warranties, either expressed or implied, that the computer and/or network services provided through the school system will be error-free. Lakeview Academy will not be responsible for either accuracy/quality of information obtained through the system or for any financial obligations arising through the unauthorized use of the system. Users shall indemnify and hold the school harmless from any losses sustained as the result of intentional misuse of the system by the user.

Terms and Conditions include but are not limited to

Students will:

- Use computer equipment under supervision of faculty ~~or~~ staff member.
- Respect and follow computer teacher/advisor instructions.
- Use computers to work on school related assignments only.
- Immediately report equipment failures to staff members.
- Immediately report any damage to any computer related equipment.
- Immediately report accidental access to unauthorized sites.
- Report unacceptable internet sites to staff supervisor.
- Follow basic net-etiquette and be a good network citizen.

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- Only use computers during assigned class times. Computers are not available after school, during lunch, or breaks.

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Students will not knowingly use school computers, equipment, or facilities to:

- Engage in illegal activities defined as a violation of local, state, and/or federal laws.
- Engage in hacking activities in any form. This includes but is not limited to corrupting, destroying, bypassing built in filters, or manipulating system data or changing computer configurations, which include modifying wallpapers, icons, desktop themes or styles.
- Access or distribute pornographic, obscene, or threatening materials.
- Erase, expire, or reset memory cache, web page links, or HTTP location history.
- Access any social networking, chat clients of any kind, including web based clients.
- Use one's identity, misrepresent one's identity or use another's identity in any form of electronic communication.
- Communicate with vulgar, defamatory or threatening language, graphics, or artwork.
- Violate copyright or intellectual rights.
- Participate in electronic gaming of any kind, unless directed by faculty or staff in the pursuit of learning.
- Use of any instant electronic communication without adult supervision.
- Use email for any purpose other than school related activities.
- Give out any school information, including address, phone number, schedules, etc.
- Send mass emails.

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Non-School Equipment

A student may bring in personal computing equipment only under the following conditions.

- The student is sponsored by a faculty member.
- The equipment is registered with the on-site computer technician.
- The school provided anti-virus software and firewall is enabled.

Note: Personal equipment falls under the same rules as school owned equipment

By signing this document I give permission for my son/daughter to use school computers and internet according to the terms of the Lakeview Academy Computer Acceptable Use Policy. I understand that violation of the provisions stated in the policy may constitute revocation of computer privileges and/or disciplinary action which may include suspension. Damage to any school owned computer/technology equipment will be the financial responsibility of the student's parent or guardian, and may result in disciplinary action. This permission shall remain in effect through the end of

the school year. The student will be required to sign a new Acceptable Use Agreement at the beginning of each school year.

Name: _____ Core Teacher (or Advisory):

(Last, First, Middle)

Student ID #: _____ Date: _____

Students Signature: _____ Date: _____

Parent/Guardian's Signature: _____ Date: _____

Email Address: _____

Note: your email address will give us ability to communicate upcoming events and students progress.

**Lakeview Academy
Teacher, Faculty, and Volunteer
Computer Acceptable Use Agreement
2006-07 School Year**

Privileges

The use of school computers is a privilege and is an integral part of the educational program; they are intended for educational purposes. The term "educational purpose" includes use of the system for classroom activities, professional or career development, and limited research. Computer services provided by Lakeview Academy are not intended for personal or private use. System administrators will determine appropriate use and access. Their decision is final, but can be appealed to the board. Users have no expectation of privacy of electronic data. System Administrators monitor, log, and may review any or all files and/or messages. Lakeview Academy retains the right to impose upon any employee disciplinary measures that may include termination for a violation of this policy.

School Responsibility

Lakeview Academy takes internet safety very seriously. Strict measures, such as internet filters are in place so that inappropriate material is not accessible to system users. 100% internet safety is not guaranteed and some content which may be offensive may still be accessible. Lakeview Academy makes no warranties, either expressed or implied, that the computer and/or network services provided through the system will be error-free. Lakeview Academy will not responsible for either accuracy/quality of information obtained through the system or for any financial obligations arising through the unauthorized use of the system. Users shall indemnify and hold the school harmless from any losses sustained as the result of intentional misuse of the system by the user.

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Terms and Conditions include but are not limited to

Users will:

- Immediately report equipment failures to the system administrator.
- Report unacceptable internet sites and use to system administrator.
- Follow basic net-etiquette and be a good network citizen.
- Immediately report any damage to equipment to the system administrator.

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Users will not knowingly use school computers, equipment, or facilities to:

- Engage in illegal activities defined as a violation of local, state, and/or federal laws.
- Engage in hacking activities in any form. This includes but is not limited to corrupting, destroying, or manipulating system data or changing computer configurations.
- Access or distribute pornographic, obscene, or threatening materials.
- Use one's identity, misrepresent one's identity or use another's identity in any form of electronic communication.
- Communicate with vulgar, defamatory or threatening language, graphics, or artwork.
- Violating copyright or intellectual rights.
- Send mass emails.

Non-School Equipment:

A user may bring in personal computing equipment only under the following conditions.

- The equipment is registered with the on-site computer technician.
- The school provided anti-virus software and personal firewall is enabled.
- Users shall not install unapproved hardware on or connect it to network, or make changes to software settings that support school hardware.

Note: Personal equipment falls under the same rules as school owned equipment

Installation:

- No software, including freeware or shareware, may be installed on any computer until cleared by the network administrator.
- The administrator shall verify the compatibility of the software with existing software and hardware, and prescribe installation and uninstall procedures.
- Freeware and shareware may be downloaded only onto workstation floppy disks, not hard drives. Software installed on Lakeview computers, must comply with copyright laws.
- License agreements and proof of purchase (copy or original) must be filed with the system administrator.

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E-mail Policy:

- Employees shall have no expectation of privacy when using Lakeview e-mail or other official communication systems.
- E-mail messages shall be used only to conduct approved and official school business.
- All users must use appropriate language in all messages.

Users are expected to conduct themselves in a professional manner and to use the system according to these guidelines or other guidelines published by the administration.

Name: _____ Signature: _____

(Print)

Date: _____

Laundry Service

Proposal Title: Towell Cleaning Service

Submitted by: James Fillmore

Sponsoring Board Member: Joylin Lincoln

Proposal Abstract/details: The kitchen has been taking items home that need to be washed on a consistent basis. We are interested in purchasing our own Washer and Dryer, but there is a significant amount of added cost when installing those items, including plumbing, Dryer Venting, and electrical. While none of these costs are too high, there is a matter of time to consider. Until we can get them installed the Kitchen would like to be able to send out the towels that we have. It comes out to be about 58.00 per month, but they also provide us with Towels that can be used across the building.

Please provide information to the following questions:

- 1) Proposal supports the charter by..?(Please site reference page) N/A**
- 2) Are funds being requested? If so how much and from what budget category?**
 - a. 58.00 per month (522.00) per year Outside Services**
- 3) Does this replace a current program or policy? If so, please attach a red-line version of requested changes. N/A**
- 4) If a new program/policy, please attach the policy or program proposal.**
- 5) Please attach any other options that may be considered.**
- 6) Please attach any relevant information.**

Brian Carpenter Training

Brian Carpenter Training

Hello to all Charter School Board Chairs and Directors!

Could your board use some help with:

1. Overall Governance Training
2. Navigating the Board/Director Relationship
3. Marketing Your School
4. Policy Governance Training
5. Strategic Planning

If you said yes to any of the items above, we have an expert coming to SLC who can help. Brian Carpenter, author and national trainer on board-related issues, is returning to SLC in June to be a presenter at the UAPCS conference on June 16 & 17. While he is here, he has agreed to meet with up to three schools, one-on-one, for in-depth training on the topic of your choosing.

I have attached a description of his training topics and an updated bio for him. If you are interested, I will need to know immediately. We only have three training dates available: Monday–June 15, Thursday–18 and Friday–June 19. Brian normally charges \$4,000 per day for these trainings. But he likes Utah and he'll already be here for the conference. So his Utah price is \$1,800 for a day-long training.

With only three training slots available, I'll need to hear from you soon if you want to get top-notch board training from Brian Carpenter.

Action Items

Parent Assisted Learning (PALS) Volunteer Policy

Policy Type: Required Policy

Policy Title: Parent Assisted Learning (PALS) Volunteer Policy

We request parents to be involved and volunteer a minimum of 4 hours a month assisting their student's teachers and actively serve on one committee. Any additional service given to Lakeview Academy would be greatly appreciated. Volunteer hours can be logged in the office or on the REN Web.

The purpose and vision of the PALS program at Lakeview Academy is to enable parents to take an active role in the education of their children. As PALS volunteers are integrated into our learning community students will see that gaining education and learning is a life-long journey. As parents share in the learning experience, they will feel a greater investment in our school and their child's education.

We envision PALS volunteers will play a vital role in assisting students to become capable of tackling academic situations with confidence, while contributing to the communities in and outside of the classroom. By utilizing the strength of our parents we can provide smaller learning groups, more individualized attention, visiting experts and extra support for our students, teachers and administrators. As they interact with different individuals within their own community, the students will notice an increased feeling of community involvement and investment in their future. This interaction between educators and parents will greatly enhance the educational experience at Lakeview Academy.

It is the policy of Lakeview Academy to not allow registered sex offenders to participate in volunteering on school grounds. They are welcome to volunteer in opportunities where children are not present. School administration will periodically check the Utah State Sex Offender Registry and comply with the laws of the Utah State Sex offender Registry.

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PALS volunteers will be divided into two groups: *Level One, and Level Two*

Volunteers at PALS One will have a significant level of interaction with students, yet will still be supervised by the classroom teacher. Their main responsibilities are to assist with small group instruction in math, language arts or any of the additional core subjects as needed. Volunteers at this level would be asked to go through some basic training. This training could include, but is not limited to, basic classroom management, simple overview of Balanced Literacy and Saxon Math and any particular needs for the teacher and students they will be assisting.

Volunteers at PALS Two will have the greatest interaction with students and could potentially be left unsupervised with students. However, they will not be permitted at any time to be alone with any one student. More than one student or another teacher must be in close proximity (for instance, the volunteer may work with a student in the hall -- a public thoroughfare -- with the classroom door remaining open). They could provide the same assistance as a Level One volunteer. Yet the main responsibilities of these volunteers include: after school tutoring, working with students in class who need individual assistance, substitute teaching, and chaperoning field trips. Training would be required for volunteers at this level. This training could include, but is not limited to, different teaching methods, different learning styles, appropriate adult-student interactions, and first aid. Volunteers at this level will be required to be fingerprinted and have a background check s in accordance with Utah Law 53A3-410. These background checks must be done every two years at the volunteer's expense. Complete detailed information regarding these procedures is available upon request.

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All volunteers will be required to wear a school-designated name badge or some other form of identification. Volunteers will check in at the front desk, prior to going to the classroom, to obtain their identification. This will assist the office staff in knowing who is in the building. We feel that having the volunteers wear specific identification is important for students so they may easily recognize whom they can ask for help. This will also help staff to distinguish between volunteers and visitors.

Those interested in volunteering at either PALS level should fill out a simple Volunteer Form and indicate PALS One or PALS Two. This form will be used by the Volunteer Coordinator to facilitate assignments. Scheduling and any necessary training of volunteers will be a joint effort between the Volunteer Coordinator, Academic Group committees, and Education Coordinator,

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Thank you for your willingness to positively impact the lives of children at Lakeview Academy!

Certification

The undersigned officers and or directors of Lakeview Academy certify that this Parent Assisted Learning (PALS) Volunteer Policy was duly adopted as of March 5, 200.

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| Print Name: | | Jlincoln 2/27/09 2:16 PM Deleted: <u>Julianne Kicklighter</u> |
| Title: | | Jlincoln 2/27/09 2:16 PM Deleted: <u>Board President</u> |
| Signature: | | Jlincoln 2/27/09 2:16 PM Deleted: <u>Tim Willden</u> |
| Print Name: | | Jlincoln 2/27/09 2:16 PM Deleted: <u>Tim Willden</u> |
| Title: | | Jlincoln 2/27/09 2:16 PM Deleted: <u>Board Vice President</u> |

The following is a breakdown of the specific volunteer levels as well as the activities and training required for each specific level:

| Volunteer Levels | Activity Needed | Training Required | Training Provided By |
|---|--|--|--|
| <u>Volunteering</u> Moderate and supervised contact with students | <ul style="list-style-type: none"> Office Help Lunchroom Help Recess Duty Assist with additional core activities such as art projects and science experiments. Visiting expert <u>Classroom Parties</u> <u>At home projects</u> | <ul style="list-style-type: none"> Operation of various tools, copiers, work room machinery | Individual teachers, office staff or Volunteer Coordinator as needed |

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|--|---|--|--|
| <ul style="list-style-type: none"> • <u>PALS</u> <u>One</u> Significant interaction with students, yet supervised | <ul style="list-style-type: none"> • Reading in the classroom • Supervise centers • Oversee writer's workshop • Assist with small group instruction in Language Arts, Math, and any of the additional core subjects • Assisting with Testing | <ul style="list-style-type: none"> • General overview of Balanced Literacy. • General training in Saxon Math • Different teaching methods. • Classroom mgmt. Techniques • Grouping techniques and policy | Coordinated by Instructional Coach, Academic Committee and Volunteer Coordinator |
| <ul style="list-style-type: none"> • <u>PALS</u> <u>Two</u> Could be left unsupervised with students | <ul style="list-style-type: none"> • After school tutoring • A substitute teacher • Work with students who need <u>individualized</u> help. • Field trip chaperone | <ul style="list-style-type: none"> • Different learning styles • Different teaching methods • Appropriate adult-student interaction • First Aid • Privacy procedures • Classroom mgmt. techniques • More in-depth-knowledge of curriculum | Coordinated by Instructional Coach, Academic Group and Volunteer Coordinator |

|

53A-3-410. Criminal background checks on school personnel -- Notice -- Payment of cost -- Request for review.

- (1) A school district superintendent or the superintendent's designee:
 - (a) shall require a potential employee or a volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment to submit to a criminal background check as a condition for employment or appointment; and
 - (b) where reasonable cause exists, may require an existing employee or volunteer to submit to a criminal background check.
- (2) The chief administrative officer of a private school may require, and the chief administrative officer of the private school that enrolls scholarship students under Chapter 1a, Part 7, Carson Smith Scholarships for Students with Special Needs Act, shall require:
 - (a) a potential employee or volunteer to submit to a criminal background check as a condition for employment or appointment; and
 - (b) where reasonable cause exists, an existing employee or volunteer to submit to a criminal background check.
- (3) The applicant, volunteer, or employee shall receive written notice that the background check has been requested.
- (4) (a) (i) Fingerprints of the individual shall be taken, and the Criminal Investigations and Technical Services Division of the Department of Public Safety, established in Section **53-10-103**, shall release the individual's full record of criminal convictions to the administrator requesting the information.
 - (ii) The division shall maintain a separate file of fingerprints submitted under Subsection (4)(a)(i) and notify the State Office of Education when a new entry is made against a person whose fingerprints are held in the file regarding:
 - (A) any matters involving an alleged sexual offense;
 - (B) any matters involving an alleged felony or class A misdemeanor drug offense; or
 - (C) any matters involving an alleged offense against the person under Title 76, Chapter 5, Offenses Against the Person.
 - (iii) The cost of maintaining the separate file shall be paid by the State Office of Education from fees charged to those submitting fingerprints.
- (b) Information received by the division from entities other than agencies or political subdivisions of the state may not be released to a private school unless the release is permissible under applicable laws or regulations of the entity providing the information.
- (5) The superintendent, local school board, or their counterparts at a private school shall consider only those convictions which are job-related for the employee, applicant, or volunteer.
- (6) (a) The district or private school shall pay the cost of the background check except as otherwise provided in Subsection (6)(b), and the monies collected shall be credited to the Criminal Investigations and Technical Services Division to offset its expenses.
 - (b) The district or private school may require an applicant to pay the costs of a background check as a condition for consideration for employment or

appointment, if:

(i) the applicant:

(A) has passed an initial review;

(B) is one of a pool of no more than five candidates for a position; and

(C) except as may be otherwise provided by state board rule for an applicant who submitted to a background check while completing a higher education program at a Utah

institution of higher education, has not been the subject of a criminal background check of similar scope during the preceding two years that was requested by a potential employer or the State Board of Education; and

(ii) a copy of the background check is provided to the district or school considering employment or appointment of the applicant.

(7) The Criminal Investigations and Technical Services Division shall, upon request, seek additional information from regional or national criminal data files in responding to inquiries under this section.

(8) (a) A private school seeking information from the Federal Bureau of Investigation or other national criminal data file which the private school may not access directly shall submit its request to the Teacher Certification Section of the State Board of Education, together with the required fee and the school's criminal data-related criteria for limiting or rejecting employment.

(b) The section shall submit the request and, upon receiving the requested information, shall determine whether the subject of the inquiry is entitled to employment under the school's criteria.

(c) The section shall disclose its determination to the school but may not disclose the data in the national criminal data file.

(9) (a) The applicant, volunteer, or employee shall have opportunity to respond to any information received as a result of the background check.

(b) A private school applicant, volunteer, or employee who wishes to respond shall:

(i) submit a request to the school; and

(ii) give a written statement to the Teacher Certification Office authorizing the office to release the background check information to a hearing officer selected by the individual and the school.

(c) The individual and the school shall equally share any costs incurred under Subsection (9)(b).

(d) A public agency shall resolve any request for review by an applicant, volunteer, or employee seeking employment or employed by the agency through normal administrative procedures established by the agency.

(10) If a person is denied employment or is dismissed from employment because of information obtained through a criminal background check, the person shall receive written notice of the reasons for denial or dismissal and have an opportunity to respond to the reasons under the procedures set forth in Subsection (9).

(11) Information obtained under this part is confidential and may only be

disclosed as provided in this section.

Amended by Chapter 35, 2005 General Session

Benefits and Leave Policy

Policy Type: Required Policy
Policy Title: Benefits and Leave Policy

Definitions

Full Time Employee: Any employee whose employment agreement schedules 32 hours of work in a given work week during the school year.

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Day: The amount of time that an employee's work agreement schedule calls for in a 24 hour period. (if you work 4 hours a day then a day equals 4 hours, if you work 8 hours a day then a day equals 8 hours)

Immediate family: Husband, wife, daughter, son, father, mother, brother, sister, or other person residing in the employee's home on a permanent basis. Special circumstances may be appealed to the Director(s) for consideration of immediate family status.

School Year: Teacher wage agreements shall not exceed a total of 187 days plus up to 10 in-service/testing days (paid at the rate of \$50.00 per ½ day) See school calendar.

Midterm Employee: Any employee hired after a school year has started. Midterm employees shall receive benefits and leave on a prorated basis for the remainder of the school year.

Benefits

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HEALTH INSURANCE BENEFITS

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Insurance benefits are available to all **Full Time** Lakeview Academy Employees. Employees, whose employment agreement schedules at least 24 hours in a workweek during the school year, may elect to purchase insurance benefits. Benefits are subject to change and benefit documentation will be distributed to all employees at the beginning of each school year.

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CESSATION OF BENEFITS UPON TERMINATION

Regular insurance benefits cease on the last day of the month in which employment is terminated. Insurance benefits will be in effect during the summer months for returning

employees. In the event an employee does not return, that employee shall be liable to Lakeview Academy for the entire cost of all benefits paid on the employee's behalf during the school summer break.

ADDITIONAL INSURANCE BENEFITS

Additional insurances are at the discretion and cost to the employee.

SALLARY AND WADGES

Pay increases will be determined on an annual basis pending state legislative funding.

RETIRMENT BENEFITS

A 7% 401K plan will be included as part of the compensation to designated employees depending on their role and function in the school.

LEAVE POLICIES

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PERSONAL LEAVE

Each eligible certificated and full time employee of the Lakeview Academy shall be given 2 days per year personal leave at no cost to the employee.

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The following guidelines must be followed:

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A. Except in unusual circumstances, prior notification must be given to the immediate supervisor at least 1 day in advance.

B. Personal leaves may only be taken the day before or after a school holiday for the following specific reasons:

1. Observance of religious holidays which fall on a regularly scheduled school calendar work day.

2. Family weddings of immediate family.

3. Graduations of immediate family.

4. Required court appearances,

5. Deaths not covered by Bereavement Policy.

6. Conferences and conventions which relate to the individual employee's work assignment and are not covered by the Professional Leave Policy.

7. Prior approval by the Director(s) for extenuating circumstances.

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Deleted: relatives including children, father, mother, brothers, sisters, grandchildren, grandparents, or the same to one's spouse or any other person who is a member of the same household as the employee.

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C. Personal leave shall not be taken during the first five days and last five days that students are in school except under the following conditions:

1. To attend the wedding of immediate family.
2. To attend to personal or business matters which require the employee's attendance and scheduling is beyond the employee's control.

D. Personal leave days may not be used on professional development days.

E. Personal leave days may not be used during parent/teacher conferences.

F. Personal leave days may be donated to another certificated or full time employee for emergencies with director approval.

G. Certificated and full time employees will be paid for all unused personal leave in their July 1 paycheck.

SICK LEAVE

Each eligible certificated or full time employee may qualify for paid sick leave.

1. Certificated and full time employees will be granted up to 10 days of sick leave per year accumulating 1 day per month.
2. Maximum accumulations:

Employees may accumulate up to 50 sick days.
3. Certificated and full time employees may use up to 3 days of his/her own accumulated sick leave to attend to the health care needs of immediate family members. This schedule does not change the way unused sick leave benefits are calculated.
4. Use of sick leave for critical immediate family care
A maximum of 10 days of sick leave may be used each year to care for critically ill immediate family members.

BEREAVEMENT LEAVE

The Bereavement Leave Policy shall be administered in accordance with the following guidelines:

Guidelines

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Deleted: It is the policy of the Board to pay sick leave benefits for certificated personnel who are scheduled to work 24 hours or more per week or more and to comply with requirements of Public Law 103-3, Family and Medical Leave Act .
Definitions -
Immediate family is defined as husband, wife, daughter, son, father, mother, brother, sister, or other person residing in the employee's home on a permanent basis. Special circumstances may be appealed to the Director for consideration of immediate family status.

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- A. Employees shall be granted up to 5 days absence without pay deduction contiguous with the event of the death of a husband, wife, daughter or son.
1. This would also include any other person residing in the home who may have assumed the role of daughter or son.
- B. Employees shall be granted up to 3 days absence without pay deduction in the event of the death of the employee's immediate family.
- C. A maximum of 2 additional days may be granted if travel time is needed. Travel must be in excess of 350 miles (one way) to qualify for additional days. An immediate supervisor shall request travel verification information from an employee.
- D. Bereavement Leave is provided only for the death of immediate family members.
- E. If the death of an employee's mother or father results in the loss of the only remaining parent, up to 3 additional personal leave days may be taken to deal with estate issues. The 3 additional days must be taken within 1 calendar year of the parent's death.

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Deleted: the employee's or spouse's father, mother, grandchild, brother, sister, grandfather, grandmother, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or other person residing in the employee's home.

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JURY DUTY OR WITNESS DUTY

- A. Notice to the Director(s) or authorized representative, together with a copy of the subpoena or notification from the court, shall be given as soon as possible after receiving such notification.
- B. Time off will be documented under the heading "Jury Duty" or "Witness in Court" on the Absence Record form. Any amount paid to the employee for service as a juror or as a witness, excluding mileage, will be deducted from the employee's regular pay.
- C. This policy does not apply to an employee who is party to litigation.

MILITARY LEAVE

All state and federal guidelines regarding military leave will be adhered to.

NOTIFIACATION OF ABSENCE

Employees are required to notify the Director(s) no later than 7:00a.m. on the day of the absence or as soon as they know that they will be absent from work.

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CERTIFICATION

The Undersigned officers and or trustees of Lakeview Academy certify that this Leave and Benefits policy was duly adopted as of March 5, 2009.

Signature: _____

Print Name: _____

Title: _____

Signature: _____

Print Name: _____

Title: _____

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Utah Charter School Conference

A Decade of Innovation

Utah Charter School Conference 2009

Tuesday & Wednesday, June 16 & 17

Details for Attendees

Dear Charter School Proponents,

Don't miss the third annual Utah Charter School Conference! We have assembled a phenomenal keynote speaker, terrific and diverse workshops, and scores of exhibitors who may have just the thing you've been looking for. This is the only statewide gathering of charter school leaders, teachers, staff, board members and parents in Utah. "This is the place" for learning, networking, relaxing and fun!

We have compiled all of the information you need to know about the Utah Charter School Conference in this document. Please read every page as each one contains critical details; contact us if you have additional questions.

It is important to know that Utah's conference is the least expensive of all of the statewide conferences held in the west. Below is a quick recap of 2008-09 registration fees from other conferences around the west:

• Colorado: \$ 260-325

• Arizona \$ 235-445

• New Mexico: \$ 199-249

• California: \$ 380-650

• Texas: \$ 200-325

Please set aside two days in June to rub shoulders with others working just as hard as you are in Utah's charter schools. It is a place to make new friends and innovative discoveries. And last, we want this conference to inspire, enlighten and reenergize you.

We hope to see you at our "bigger and better" conference this June. And we thank you for ALL that you do to help Utah's charter school students reach their full potential.

Susan Soleil, Conference Coordinator
Utah Association of Public Charter Schools
801-554-9495

"This conference is critically important to the success of our school.

Every year I set aside money in our budget to help our staff and teachers attend the Utah Charter School Conference. Ultimately our students are the

winner when we leave the conference with new ideas and a fresh perspective.
It helps us feel a part of the larger charter school movement. "

- Bill Fowler, Director, Tuacahn High School for the Performing Arts

A Decade of Innovation

Utah Charter School Conference 2009

Tuesday & Wednesday, June 16 & 17

Details for Attendees

OVERVIEW: The Utah Association of Public Charter Schools is pleased to present the third annual Utah Charter School Conference, Tuesday and Wednesday, June 16 & 17. This is a TWO-DAY conference; we do not offer a reduced fee if you only attend one day or the other.

The Conference target audience is very broad. It includes everyone involved with charter schools – administrators, staff, parents, teachers and board members. We also encourage anyone in the community interested in charter school issues to attend, particularly if they're thinking of creating a charter school in the near future. The purpose of this conference is to share current and correct information with charter schools statewide, provide a place for networking and team-building, help teachers connect with other charter school teachers, and build cohesion and unity in order to strengthen Utah's charter school movement.

LOCATION: We are returning for a second year to the Orem Campus of Utah Valley University – UVU – in the Sorensen Student Center (north side of campus), 800 West University Parkway, Orem, UT

CONFERENCE FEES & DEADLINES:

\$ 115 for Early Registration – January 23 through March 15

\$ 140 for Regular Registration – March 16 thru May 30

\$ 175 for Day-of Registration – May 31 to June 17 – Anyone who wants to attend

the conference after May 30 will need to register on-site Tuesday and Wednesday, June 16 & 17, as part of "day-of" registration

REGISTRATION LINK: Click here: **UAPCS CONFERENCE LINK**

KEYNOTE SPEAKER: We are excited to have Dr. Yvonne Chan as our keynote speaker this year. She was inducted into the *Charter School Hall of Fame* in 2008 at the National Alliance of Public Charter Schools Conference. Yvonne is a dynamic woman who turned a failing traditional school into a highly successful charter school. She will delight, amuse and inspire you with stories of how she helped her students achieve in a hard-to-serve area of Los Angeles.

HOTEL INFORMATION: Please make your reservations by **May 1** to get the rates outlined below and remember to mention "Utah Charter School Conference."

Hotel Room Rate Phone # Notes:

Provo Marriott \$ 79 group rate 801-377-4700 5 minutes from UVU

La Quinta Inn \$ 89 group rate 801-226-0440 Next to UVU campus

AGENDA: Tuesday – June 16

11:30 – 1:00 Registration Begins. Exhibitors Open, Refreshments
1:00 – 2:30 Opening Session, Keynote Speaker, Awards Presentations
2:45 – 4:00 First Breakout Session
4:00 – 4:45 Light Snack Break in with Exhibitors
4:45 – 6:00 Second Breakout Session
6:00 – 7:00 Exhibitors Open
6:15 – 8:00 Dinner and more time with Keynote Speaker

Wednesday – June 17

7:30 – 9:00 Registration, Exhibitors Open, Breakfast Buffet
9:00 – 10:15 Third Breakout Session
10:15 – 10:45 Exhibitors Open
10:45 – 12:00 Fourth Breakout Session
12:00 – 1:30 Lunch, Last Chance to Visit Exhibitors, Networking
1:30 – 2:45 Fifth Breakout Session
3:00 – 3:30 Gather for Dessert and Drawings of Vendor Prizes; then Adjourn

PAYMENT: The only way to pay for this conference is with a credit card. Please have your card ready when you register. For those of you registering numerous people, we have found a way for our system to take multiple registration forms but you only need to pay once! Please let us know how well it works.

RELICENSURE POINTS: USOE will give up to eight (8) relicensure points to educators attending all of this conference. More details about these points will come to those who indicate their interest in relicensure points when they register.

MEMBER SCHOOLS: If your school is a member of the Utah Association of Public Charter Schools, one person from your school will be admitted for FREE to this conference. You will still need to sign-up during the early or regular registration period. This FREE offer expires on May 1. Susan Soleil will email a special code to all member schools so they can register one person to attend this conference for free – as a member benefit!

TUESDAY NIGHT EVENT: We are thrilled to offer more time with Yvonne Chan, our keynote speaker, over dinner on Tuesday night. The registration fee includes dinner so please plan to join us for an enlightening and entertaining evening. And use that time to get to know other people involved in Utah's charter school movement. More details about this evening will be emailed soon.

REFUND POLICY: Full refunds, minus a \$20 processing fee per person, will be given if cancellations are requested prior to May 1, via email to Susan Soleil at susan@utahcharters.org. If you register after May 1, we cannot offer any refunds. Thank you for understanding.

CONTACT: If you have any questions about this conference, please contact:

Susan Soleil at susan@utahcharters.org or call 801-554-9495